

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, April 9, 2024**

**5:00 PM**

**Regular**

**Commission Chambers**

**A. CALL TO ORDER 5:00 PM**

Rollcall

**Present:** Commissioner District 1 Rita Pritchett, Commissioner District 2 Tom Goodson, Commissioner District 3 John Tobia, Commissioner District 4 Rob Feltner, and Commissioner District 5 Jason Steele

**C. PLEDGE OF ALLEGIANCE: Commissioner Rob Feltner, District 4**

Commissioner Feltner led the assembly in the Pledge of Allegiance.

**Commissioner's Comments**

Commissioner Feltner stated for the benefit of those who support the Board, specifically the Clerk, Space Coast Government Television (SCGTV), when the Board is using the microphones, to please turn them on and off; obviously, for the Clerk, that helps with the minutes; for SCGTV, it is especially helpful, now with the closed caption and American Disability Act (ADA) compliance is handled automatically by YouTube and those sorts of things; therefore, it would help everybody if the Board was a little better with the microphones.

Chair Steele thanked Dana Blickley, Brevard County Property Appraiser, and Lisa Cullen, Brevard County Tax Collector, for being in attendance.

**E.1. Resolution to recognize and commend Lieutenant Colonel Albert Therriault, Civil Air Patrol.**

Commissioner Pritchett read aloud, and the Board adopted Resolution No. 24-023, recognizing Lieutenant Colonel Albert Therriault, Civil Air Patrol, for demonstrating outstanding dedication and commitment to serving his community and the United States Armed Services veterans.

Lieutenant Colonel Albert Therriault stated he is humbled and honored to receive the Resolution, for doing something that he loves to do; and taking care of veterans, he has been there, done that, and he wants to keep doing it.

**Result:** ADOPTED

**Mover:** Rita Pritchett

**Secunder:** Rob Feltner

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**E.2. Resolution acknowledging April as Second Chance Month in Brevard County**

Commissioner Feltner read aloud, and the Board adopted Resolution No. 24-024, acknowledging April as Second Chance Month in Brevard County.

Susan Kowalski expressed her appreciation for the Resolution. She stated she is the Deputy Director of New Hope, the Space Coast Office; Operation New Hope has been in existence for 25 years providing re-entry services throughout Florida; Operation New Hope is a leader in the field of re-entry, whose work has been praised by the last four White House administrations; it is a national model; Operation New Hope was established in Jacksonville in 1999 and now has offices in Orlando, St. John's County, the Space Coast, and is opening an office in the Tampa Bay area in the coming months; Operation New Hope plans on opening offices throughout the State of Florida, North Florida as well as South Florida in order to make a re-entry network; and by providing extensive wraparound care and job training, it provides second chances for the formally incarcerated. She went on to say Operation New Hope is ready for work and ready for

release programs that equips its clients with what they need to become a productive and responsible citizen of the community; at Operation New Hope, it is believed that everyone is better than their worst mistakes, their worst days, or worst decisions; it believes in people's ability to learn from their mistakes and transform their lives through commitment and hard work; it values safe communities, strong economies, stable families, and second chances; and she thanked the Board for its continued support in Operation New Hope.

**Result:** ADOPTED

**Mover:** Rob Feltner

**Second:** Rita Pritchett

**Ayes:** Pritchett, Goodson, Feltner, and Steele

**Nay:** Tobia

**F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)**

Chair Steele stated he would like to put out a couple little things for everybody to listen to; speakers are welcome to have a sign this evening, but please do not disrupt the people behind, please do not incite the crowd, or anything of that nature; there will be three minutes each on these conversations, so the Board is not cutting anything back; and before he gets started on the Consent Agenda, he asked if Commissioner Goodson had anything he would like to pull.

Commissioner Goodson advised he would like to pull Item F.13., Brevard County Lifeguard Services Grant Program.

Chair Steele advised there are different people who would like to talk on different subjects; and he called for the speakers.

**F.1. Final Plat and Contract Approval, Re: Watermark Phase 1 and 2  
Developer: Stanley Martin Homes, LLC District 1**

Sandra Sullivan stated it is her understanding that this property, the sewage goes to Port St. John sewage treatment plant; her concern with that is, she had done a records request in February 2021 and it was at 85 percent capacity, in February 2022 it was at 86 percent capacity, and in March of 2023 at 96 percent capacity; once it is over 85 percent, the County is really not supposed to be adding development to a treatment plant until there is a plan to replace it; there are plans to replace it, but there is no way to pay to replace it yet, it is \$170 million; she requested that the State help with that and the feds; it used to be \$50 million to replace a plant; she objects to it; and she asked why this Board is still doing large developments on a sewage treat plant when it knows it is at or near capacity. She mentioned it just seems like when the County is taxing the people to try to clean up the Lagoon, and then putting it at risk, is just not good business; until there is a plan in the works to replace that plant, and that is probably a multi-year process, she does not think the Board should be placing a lot of added development on that sewage treatment plant; and it should probably be looking at placing a moratorium on that plant to protect the river.

Chair Steele asked to please try to keep everything civil; and it is his fault he did not say no applause for the evening.

Commissioner Goodson stated in the Agenda Report it states the City of Cocoa is providing the sewer and water, so undoubtedly, they are the ones providing the sewer and water; therefore, the sewer plant at 85 percent, is not affected with it.

**F.6. Approval, Re: Appointment to the Local Health Council of East Central Florida, Inc.**

Kristin Lortie stated she is commenting on Item F.6 right now, and she is commenting on several Items under Consent because she went through the meeting back up Items and the definition she wants to read will apply to all of her Items; first of all, the definition of Consent Agenda, according to the Assistant Attorney General is, 'routine matters that are typically non-controversial and do not deviate from past Board direction or policy'; Brevard Citizens Coalition is a Facebook group that she founded; on this Item she wants to talk about the appointment to the local Health Council of East Central Florida in which former Commissioner Zonka was recommended for this appointment and she has graciously agreed according to the backup documents; in looking at the background, what she appreciated about it was that there is a summary explanation in the background that talks about the history of this particular Item; and it does not assign a person as the recommender, it just states Housing and Human Services. She went on to say for a high-profile former Commissioner to be appointed to a current position brings a few questions; she asked if it was listed, were there other people that had the opportunity to apply for this appointment, and was it canvassed to the public; she noted it is being put on the Consent Agenda which means that it is low-profile, if she had not spoken to it; she does not feel that there is enough information provided to support the Agenda Item as to why Ms. Zonka was chosen and whether or not other candidates had that option; and she thinks for positions that are opened up to the community, they should be opened up to the community. She noted that Ms. Zonka is being appointed as the County representative for the Health Care Purchaser Group; she forgot the Board does not actually state these in the meeting, so the requested action is, "it is requested that the Board of County Commissioners approve the appointment of Dr. Kristine Zonka as the County representative for the Health Care Purchaser Group; what she wondered, because there is this other Item that has ended up being related on the lifeguard funding, and that there is going to be lifeguard funding redirected to healthcare initiatives, is if there is any connection there, but she does not have an answer to that; she does have questions on the appointment; and she has an interest in making sure these petitions are opened up to the public or explained to the public why they are not, which could be included in the narrative detail for it.

Chair Steele inquired if Ms. Lortie is finished with all of her comments.

Ms. Lortie noted not on all the Consent Items, she has others.

Chair Steele advised she only gets three minutes on all of the things that are on the Consent Agenda.

Ms. Lortie stated that is not correct.

Chair Steele responded it is correct and he sent her an email to tell her that as well.

She advised she had not received an email from him on that.

Chair Steele stated he is sorry that she did not receive it, but she has three minutes regardless of how many things she wants to speak about on the Consent Agenda; and once she uses her three minutes, her three minutes are up.

Ms. Lortie commented that is not part of the current Policy.

Chair Steele mentioned he had checked with the County Attorney prior to this meeting to make sure he was correct on this issue; and he asked the County Attorney if he has any comments.

Morris Richardson, County Attorney, explained the specific question that was asked was related to the Item I.2. with the CEERS, where people had multiple Items within that Item and he believes Ms. Lortie requested to speak individually to the separate Items, and the answer to that one was that it was three minutes; that was not applicable to the Consent Agenda; and that was not the question he understood was being asked.

Chair Steele apologized to Ms. Lortie and asked if she would like to go through all of her Items.

Ms. Lortie responded certainly.

Chair Steele stated to get started then.

**F.8. Approval; RE: Appointment of Environmentally Endangered Lands Selection and Management Committee (SMC) Member - All Districts.**

Kristin Lortie stated this Item is where former Commissioner Curt Smith is being requested to be appointed by the Board as the replacement Tourist Development Council representative to the Environmentally Endangered Lands Selection and Management Committee for a term of two years, until April 2026; on this one there was much less detail than there was on the other one regarding Ms. Zonka; she felt there should be more that is provided; in this instance, it was recommended by the Parks and Recreation Department, and she would have liked to have had more of an explanation on the background, what Commissioner Smith's qualifications were for this particular Item, what was the selection process for it, and was the position made available to other members of the public; and once again, former Commissioner Smith is in an especially high-profile member of the public to be appointed to the position and to be on the Consent Agenda. She mentioned there was enough information provided to support this; and she did not feel it should be on the Consent Agenda.

**F.12. State Lobbying Services Contract with Ronald L. Book, P.A.**

Kristin Lortie stated the next one is the State Lobbying Services with Ronald Book; he is being recommended for a \$72,000 annual contract and \$6,000 per month for one year; the comments on this are a little bit nuance because there is one piece of this in particular that she commends the Commissioners on; first her objections are there was no disclosure on this at the March 12 meeting that Commissioner Tobia has received \$2,000 in funding for his campaign from this; and it was interesting enough to the media that there was an article in Florida TODAY on April 2 about this, 'Brevard County Commission Backs Extending the State Lobbyist Book's Contract for Another Year.' She went on to say it talks about the potential conflict of interest, although Commissioner Tobia disagreed on it, but that was not disclosed at the March 12 meeting when this was discussed; she objects to Commissioner Tobia being the one to bring it forward; the Florida TODAY article does give more backup on that; it states he saw the Item on the County Commission's March Agenda and then prior to the vote he reached out to Mr. Book to determine if Mr. Book still wanted to work as the lobbyist; and he also contacted members of Brevard's Delegation to the Florida Legislature to determine what kind of relationship they had with Mr. Book and determined that Mr. Book has a very good relationship with the local delegation, and that Mr. Book is the father of Florida State minority leader Lauren Book, a democrat from Davey. She mentioned she feels there was a lot of additional information that was revealed in the Florida TODAY article, and she would have liked to have seen Commissioner Tobia not involving himself in it since he had personally benefited, and then abstain from voting on it as an Agenda Item; she felt those would have been more helpful to herself as a member of the public, to let staff take care of it because he was recommended for a raise, a three-year contract, Commissioner Tobia personally involved himself in the matter, and now it is being presented as a Consent Agenda Item; and what she commends the

Commission on is that she appreciates the Board supporting it as a one-year versus a three-year, albeit a no-bid contract. She commented she did like that, she even contrasted that with what the City of Cocoa did in extending the City Manager contract; she appreciates that it allows the next Board to make that final decision as of next year; she would also like to draw attention to the Florida TODAY quote that said, Mr. Bobanic who is the Supervisor of Elections, in a similar situation said that he did not vote on that relevantly similar item because he thinks all elected officials should avoid any appearance of impropriety; she appreciates that statement from candidate and Supervisor of Elections, Bobanic; and for those reasons she does not support this Item.

Chair Steele stated there is nothing illegal or unethical for any person on this particular Board to be taking a campaign contribution from Mr. Book; Mr. Book has been excellent as the Brevard County lobbyist for many years bringing the County millions and millions of dollars; he would say he is probably the best lobbyist in Tallahassee; in addition, the reason why the Board did this in the first place is it was Commissioner Feltner's idea and the lobbying contract was just about up; and the lobbying contract would have to be extended for three years. He mentioned Commissioner Feltner in his wisdom asked the Board to try to get Mr. Book to take a one-year extension so that when the new Commissioners come on they can make the decision on who he or she would like as a lobbyist; therefore, the thing Ms. Lortie is talking about with Commissioner Tobia is completely unacceptable as far as he is concerned. He also mentioned he understands Ms. Lortie's concerns, but advised this happens all the time.

Ms. Lortie stated she concurs about the one-year versus the three-year; and she mentioned she also put a card in on the lifeguard item but she will not speak on that now since it was pulled, she will wait.

#### **F.14. Bill Folder**

Kristin Lortie stated she went into the Bill Folder and expected this to be not really interesting, but she found that there are a couple of items she would like to speak to; a few of the items that were included and requested for submission, one of them had to do with copies that were made by the Commissioners; there was a contrast between the Commissioners in terms of who went over contract on their copies; Commissioner Pritchett went 2,518 over contract, including 1,668 color copies, Commissioner Tobia went 1,509 over contract including 1,112 color copies, Chairman Steele went 531 over contract including 375 color copies, and zero over for Commissioner's Goodson and Feltner; and both Commissioner Pritchett and Tobia are current 2024 candidates. She commented that does not mean those copies had anything to do with their candidacy and anybody is welcome at any time to send her anything after the meeting, she would be happy to take in that information, but she found that curious; next, she found in Commissioner Pritchett's reimbursements, she is billing \$48.69 for one ream of classic linen paper and \$19.82 for 500 envelopes which appear they could complement each other; she does not know what those are for and Commissioner Pritchett's office has not been responding to her emails, so this is something that could have easily been addressed beforehand; then under Commissioner Tobia's expenses, he is requesting reimbursement for \$28.05 for the truthfinder.com membership fee, plus \$3.99 for data access for the unlimited persons report; and she objects to that because she does not understand why a Commissioner needs to have access to the truthfinder, which is a background service. She noted she went to the website and it states, "what is truthfinder used for" and under questions and answers it states, "to learn more about your neighbors, to catch a cheating spouse, to research potential romantic partners from dating apps, and she would like to think those are not being done with public funds; she does not understand why, if the Board is going to subscribe to a service like this, why it cannot be a government thing that goes through one government office that is audited and explained to the public because she inquired if these people that are being researched know about it in

advance, and what is the tracking on it; and once again, she would welcome any information to come back to her on that so she could feel a little more comfortable with this expense. She went on to say she also noticed on the Florida TODAY subscriptions that Commissioner Tobia has the most extensive subscription to the Florida TODAY, print subscriptions of \$43.87 which includes \$12 in premium subscriptions plus the monthly online subscription for \$14.99; he does get a better deal than Commissioner Pritchett who is getting an online subscription for \$19.99; she wonders with the subscriptions to Florida TODAY, just under Commissioner Tobia adds up, that would be \$58.86 per month and \$706 per year just for one Commission office to have a full scope subscription to Florida TODAY; and she wonders about that.

Commissioner Pritchett asked Ms. Lortie if she called her office and asked why they bought 500 sheets of paper and the envelopes because she is asking Adrienne right now; Adrienne does not remember getting anything from her, because she would have told her; every year at graduation, her office sends out congratulations to all the graduates; she has done it for eight years; that is what her office does; if that was asked, she would have told her because Ms. Lortie is really painting a picture that is really troublesome; and with Mr. Book, she knows Commissioner Feltner did that, but if the Commission would have just kept the same guy over the next three years it would have saved \$36,000 in tax payers dollars because he upped it \$1,000 per month. She mentioned the Board has been through this before, and the new Board is going to have to do a lot of work because it will never go back that low again, he would have locked in for that amount; and again, if Ms. Lortie would have called her office, she would have told her that.

Ms. Lortie interjected by saying there is no need to disparage her as the worst...

Commissioner Pritchett advised she is not done talking.

Ms. Lortie interjected again saying to ask her to sit down first if she wants to insult her while she is talking.

Commissioner Pritchett asked Ms. Lortie to sit down and advised she is not insulting her.

Chair Steele asked Ms. Lortie to be civil.

Commissioner Pritchett asked the Chair to have Ms. Lortie sit down.

Chair Steele noted the insults were coming from Ms. Lortie not from Commissioner Pritchett; he stated Ms. Lortie's insinuation on Commissioner Tobia and Commissioner Pritchett is unacceptable; she may have whatever opinion she wants, and she voiced that tonight; he thanked her for that; and he asked that she please sit down.

### **F.13. Brevard County Lifeguard Services Grant Program**

Commissioner Steele inquired if Commissioner Goodson would like to hear from those who filled out speaker cards first.

Commissioner Goodson responded affirmatively.

Chair Steele reiterated please no applause, he would like to get through this and get a little bit of resolution this evening on where this is going to go.

(Inaudible Conversation)

Chair Steele stated called up Katie Delaney and stated he is trying to clean up the Consent Agenda then get to the ones that are important.

**F.14. Bill Folder**

Katie Delaney stated she is not going to repeat the things that were mentioned; she thinks the concern is the look, not necessarily that anybody is doing anything nefarious; what she would like is a little more transparency in this so there are no unanswered questions, for people to know what they are looking at and why certain purchases are made; and she reiterated she does not think things need to be repeated, but she thinks that is the intent of those questions.

Commissioner Pritchett stated five years ago this Board did not use to put any of these things in the Bill Folder, and it made a unanimous decision that anything a Commissioner would spend money on to put it out there; the Board did that themselves so everybody could see it on the Consent Agenda; the Board thought the transparency issue was adequate for the public to always know what is going on; she thinks probably all of the Board members get the Florida TODAY yearly subscription; the Board places everything they are going to spend on there as individual Commissioners and she wishes every elected official would do the same; she would love to see the other ones put the travel on there and everything else as well; and she thinks that is a good thing to do.

**F.1. Final Plat and Contract Approval, Re: Watermark Phase 1 and 2  
Developer: Stanley Martin Homes, LLC District 1**

The Board, in accordance with Section 62-2841(i) and Section 62-2844, executed and granted final plat approval, subject to minor engineering changes as applicable, and developer responsible for obtaining all other necessary jurisdictional permits; and executed and approved the Subdivision Infrastructure Contract for Watermark Phase 1 and 2 – Developer: Stanley Martin Homes, LLC.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Secunder:** John Tobia

**F.2. Approval, Re: Dedication of Public Access Sidewalk Easement from Central Viera Community Association, Inc. for the Pineda Boulevard West Extension -Segments F, G and H, Phase 2 - District 4.**

The Board approved acceptance of Public Access Sidewalk Easement from Central Viera Community Association, Inc. for the Pineda Boulevard West Extension Segments F, G, and H, Phase 2.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Secunder:** John Tobia

**F.3. Adopt Resolution and Release Performance Bond: Reeling Park North, Phase 5 - District 4  
Developer: The Viera Company**

The Board executed and adopted Resolution No. 24-025, releasing the Contract and Surety Performance Bond dated January 10, 2023, for Reeling Park North, Phase 5 – Developer: The Viera Company.

**Result:** ADOPTED  
**Mover:** Rita Pritchett  
**Secunder:** John Tobia



**F.5. Approval, Re: Dedication by Warranty Deed for Tract M of Crossmolina - Phase 1 and Bill of Sale from The Viera Company for the benefit of Lift Station W-45 - District 4**

The Board approved acceptance of Warranty Deed for Tract M of Crossmolina – Phase 1; and approved acceptance of Bill of Sale from The Viera Company for the benefit of Lift Station W-45.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Secunder:** John Tobia

**F.6. Approval, Re: Appointment to the Local Health Council of East Central Florida, Inc.**

The Board approved the appointment of Dr. Kristine Zonka (Administrator of the Florida Department of Health in Brevard County) as the County Representative for the Health Care Purchaser Group.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Secunder:** John Tobia

**F.7. Confirmation, Re: New Members to Board of Directors of Golf Brevard, Inc. (District 3)**

The Board confirmed Marcy Tarrant and Frank Vega as new members to the Board of Directors of Golf Brevard, Inc.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Secunder:** John Tobia

**F.8. Approval; RE: Appointment of Environmentally Endangered Lands Selection and Management Committee (SMC) Member - All Districts.**

The Board acknowledged the appointment of Curt Smith, as the Tourist Development Council (TDC) replacement member to the Environmentally Endangered Lands Selection and Management Committee, replacing Malcolm McLouth, with said term to expire April 9, 2026.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Secunder:** John Tobia

**F.9. Approval of Coordination Agreement, Re: Bus Transportation Services with School Board of Brevard County**

The Board executed and approved the Transportation Coordination Agreement between the School Board of Brevard County and Brevard County for the purpose of Bus Transportation Services.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Secunder:** John Tobia

**F.10. Approval, Re: Federal Transit Administration Fiscal Year 2024 Certification and Assurances.**

The Board executed and approved the Fiscal Year 2024 Certification and Assurances for Federal Transit Administration Grants; and authorized you to execute the Certifications and Assurances electronically.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Seconder:** John Tobia

**F.11. Appointment(s) / Reappointment(s)**

The Board appointed/reappointed Debbie Thomas, to the Building and Construction Advisory Committee, with said appointment to expire April 10, 2026; Thomas R. Brandon, to the Building and Construction Advisory Committee, with said appointment to expire December 31, 2025; and Donna Richardson, to the South/Central Brevard Public Library Advisory Board, with said appointment to expire April 9, 2026.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Seconder:** John Tobia

**F.12. State Lobbying Services Contract with Ronald L. Book, P.A.**

The Board approved the one-year Contract with Ronald L. Book, P.A., for State Lobbying Services at the negotiated rate of \$6,000/month or \$72,000/year.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Seconder:** John Tobia

**F.14. Bill Folder**

The Board acknowledged receipt of the Bill Folder, as submitted.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Seconder:** John Tobia

**F.15. Precinct Boundaries - Altered and Added (Chapter 101.001(1) F.S.)**

The Board approved the revised precinct boundaries due to annexations by the Cities of Melbourne and Titusville.

**Result:** APPROVED  
**Mover:** Rita Pritchett  
**Seconder:** John Tobia

**F.13. Brevard County Lifeguard Services Grant Program**

Wayne Carragino stated he is the City Manager of Cocoa Beach and he is in attendance to discuss the lifeguard issue; the City respectfully looked at the grant proposal, it was very well prepared; he thanked the County Manager for his professionalism in the preparation of it; the City did a lot of research and homework on it and the one thing that rang in his mind as he looked at it was Commissioner Steele's statement at the Budget Workshop, where he said, "I will vote for this but I will make a prediction that none of the cities will go along with this and we will be back at square one"; and the City of Cocoa Beach has elected to not participate in the grant agreement that has been presented.

Commissioner Pritchett inquired if the City went back to revisit this year's commitment with the

seasonal lifeguards because after they had that conversation she thinks the City might have made the vote to not pay anything for lifeguards; and she asked if that was changed.

Mr. Carragino answered no, the City has no intention of paying that.

Commissioner Pritchett asked if the City is not going to pay anything towards lifeguards.

Mr. Carragino replied no, he thinks that was made clear in their response.

Commissioner Pritchett commented okay, that is interesting.

Commissioner Goodson stated that was the question he had and zero is the answer.

Commissioner Tobia stated he looked at the City of Cocoa Beach's budget; the City's mayor had stood up there previously and said safety is a priority; he understands that did not come from Mr. Carragino; he thinks the budget follows that and it is Mr. Carragino's job to create the budget; the cost in Fiscal Year 24, the municipal golf course that Cocoa Beach maintains is \$3,661,330, the revenue on top to coincide with that is \$2,175,350, so in other words the City of Cocoa Beach has a deficit of \$1,485,980; and he asked Mr. Carragino if that sounds correct.

Mr. Carragino stated he will answer that very respectfully by saying, at this point he just made a statement that the City of Cocoa Beach is not going to participate in the grant agreement, so this is irrelevant; the Board can cherry pick anything it wants out of the City's budget...

Commissioner Tobia interjected by stating this is not a discussion, he just asked a question.

Mr. Carragino replied he does not know the answer, frankly, he is not going to answer questions.

Chair Steele noted that is fine, he has the right not to answer it.

Commissioner Tobia stated that was all he was asking is if Mr. Carragino was familiar with the numbers and the deficit of the golf course.

Mr. Carragino commented he is familiar, but he is not going to answer the question.

Chair Steele stated he wants to end this on a civil note; and he thanked Mr. Carragino.

Chair Steele passed the gavel to Vice-Chair Pritchett.

Sandra Sullivan stated looking over how this has progressed over time, in May 2023, the Board has substantially increased the lifeguard budget; between last May until now, it has been almost a 45 percent increase in budget; that is a pretty substantial increase in one year; part of that was a request made to give lifeguards to Indialantic which there are a lot of drownings there, so she understands that; in part of funding that city, they agreed they would pay for those costs in 2024; it is 2024 now and they agreed to pay and they are not; therefore, that agreement did not even pan out. She continued by saying obviously, the State has a definition for the sand re-nourishment project where the County gets additional funding for beach re-nourishment for what they define as tourism beaches, that is beaches that have over 100 parking spaces; since this is the County's tourism project, she is not quite sure how the Board is tying in Tourist Development Tax (TDT) dollars because at the Budget Workshop it was said that the County could not use that; she thinks that needs to be explained; but she thinks with

the tourism beaches, using the definition that the State uses which is over 100 parking spaces, that the County should be funding 100 percent of those as essentially premium beaches with additional services, and moving in that direction; she thinks that people have to plan and not do just one beach at a time and add beaches and have creeping on the budget, because obviously, who is paying for this 45 percent increase in one year; and this is just not a fiscal way of doing things. She mentioned she is supportive of the staff report and them looking at where the drownings were and prioritizing that; for example, from where she is from in the Satellite Beach area, they did not have any drownings; looking to the bigger picture since the Board is going in the tourism direction, hopefully the State Representatives will bring some legislative changes with TDT next year; working towards that can offset that expense; but she thinks the Board should look at the whole tourism picture of funding 100 percent of the beaches which are a tourism product, that have more than 100 parking spaces, which is how it is defined for the beaches program.

Commissioner Pritchett asked the County Attorney if it is possible to use the TDT funds to fund all of the lifeguards.

Morris Richardson, County Attorney, advised it is possible to use TDT funds for lifeguards, the amount would determine if the County could entirely fund lifeguards with it.

Commissioner Pritchett noted they had that conversation before; that might not be a bad idea, worthy of a thought to find out how much they would be allowed to pursue on that; and she asked to get some data on that.

Attorney Richardson stated it is not a legal issue, it really comes down to available funds, but the Board can expend TDT on lifeguards.

Don Willis stated he certainly understands being on the other side of the comment table; he is from the City of Cape Canaveral, City Councilman, resident, and taxpayer; he believes the decision on this Item if it were to go forward, would have detrimental effects on the local community; in the past, until now, Cape Canaveral has had a wait and see attitude over these issues because they do not have a dog in the fight; they have Cherie Down Park that is part of Cape Canaveral, but it is fully-operated by the County; and because the County has proposed to carve Cape Canaveral out of the park system there, out of all of the beach side cities they are the only ones who have not been given a County park. He continued by saying what is in it for them, Cherie Down Park may in the future become a City-owned park and the City would welcome whatever the County Commission were to deem appropriate, but at this point in time, Cape Canaveral feels it needs to be in support and solidarity with the other beachside communities; he thinks this represents a future tax increase for the City of Cape Canaveral if it were to go to them; and it becomes another string in the Cherie Down Park proposal. He went on to say the City agrees with the position of the other beachside communities; beach city residents do not use lifeguard services any more than anyone else in the County; the City also believes that the Tourist Development Council (TDC) bed tax should be considered to offset the share of lifeguard services; and he appreciates the Board's attention.

Commissioner Goodson asked if he understands correctly that the City would help pay for Cocoa Beach.

Mr. Willis replied, no the City will pay its own.

Commissioner Goodson asked if the City of Cape Canaveral could be placed in the pot to help pay.

Mr. Willis remarked if the City were to have that park, it might be a consideration.

Commissioner Goodson stated that is great and he thinks that would be wonderful.

Mr. Willis stated Cape Canaveral will have to have something but without the strings attached.

Commissioner Pritchett thanked Mr. Willis for the way he came up, it was very delightful; she is sure he is a real asset to his City; and she asked if there is any paid parking on his beaches.

Mr. Willis replied they do not.

Commissioner Pritchett stated that is something she is looking at.

Mr. Willis mentioned that is something they would have to consider in the future.

Commissioner Pritchett stated not for him necessarily, but those that do have paid parking that is what she is weighing in on.

Commissioner Feltner asked so none of the beach access, those points along Ridgewood, there are no meters.

Mr. Willis advised there are no meters.

Sherri Quarrie stated she is Vice-mayor of Town of Melbourne Beach; quite frankly, the City just does not have the money for the lifeguard grant that the Board has proposed; they do have paid parking, they have \$95,000 as a prediction of revenue in the 2024 budget; right now the paid parking is over 50 percent lower than it was for the same time period last year, so she does not see that the \$95,000 is going to be a figure that the Town will be able to hit; and the Town has been working and looking into this, and there is no feasible way they can pay for it all themselves. She continued by saying they were looking at trying to put something together that maybe Brevard County should look at doing and that is perhaps an ambassador program, where the County could put together some people that would maybe patrol the beach as a volunteer and help with keeping people safe so that some of the lifeguard issues would be a little subsided, and perhaps the Town could have a part-time lifeguard station at the current price; however, right now, that does not even look feasible for the Town. She commented the Town is still trying to figure out how the County can pay for it because they cannot seem to put the money together; they are only a one-square mile town so this would ultimately become a tax burden to the residents; she thinks that the whatever County's revenue sources that it can come up with would be greatly appreciated; this seems to be something that happens more when there are visitors; she does not believe any of the residents are having difficulty with the safety on the beach other than perhaps when there was a shooting at Spessard Holland and there was no coverage from Brevard County; and maybe there could be some security added into that in an ambassador program so that the County could make the beach safer and also help from a drowning standpoint.

Commissioner Tobia asked what the Town's budget was.

Ms. Quarrie stated \$95,000 was what they put in for 2024.

Commissioner Tobia stated he looked at the City budget and some line items because she said she did not have any money; she may hear the Board say things, but she will not hear it say

there is not enough money, but better uses for that money; there is a line item for decorative light poles; and he asked Ms. Quarrie if she knows how much her City spends on decorative light poles.

Ms. Quarrie replied she does not know the number for the decorative light poles, but the Town needs light poles for security.

Commissioner Tobia reiterated these are decorative light poles.

Ms. Quarrie stated she thinks that anything that is not provided by Florida Power and Light (FP&L) is considered decorative.

Commissioner Tobia noted this is a line item in her budget.

Ms. Quarrie stated she agrees.

Commissioner Tobia stated okay, restoring dolphin carvings is a line item in the City's current budget.

Ms. Quarrie responded affirmatively stating that was paid for by the parking; and that dolphin carving was a piece of art.

Commissioner Tobia interjected asking if that parking could be used for paying lifeguards.

Ms. Quarrie stated that is where the money is coming from and that is why she cited what the revenue from Ocean Park parking is.

Commissioner Tobia stated last year the City's parking revenue in Fiscal Year 2024 is \$202,000.

Ms. Quarrie advised that is not Ocean park, it is everything.

Commissioner Tobia inquired the cost share that the Board asked for would be what.

Ms. Quarrie responded by saying 50 percent, and the Board has given a part time of \$63,967.

Commissioner Tobia stated the cost share would be \$127,000; in other words, the City's parking draws more revenue than the lifeguard would cost her City; she might have to cut out the decorative...

Ms. Quarrie stated that is incorrect; they would have to cutout Rickman Park playground upgrades; and she asked if Commissioner Tobia would prefer the children not have any new equipment.

Commissioner Tobia stated he would prefer that she prioritize safety and not decorative light poles and restoring dolphin carvings.

Ms. Quarrie added the dolphin carving is a piece of art that is part of the history of the town and it was done as a preservation.

Commissioner Tobia commented he appreciates that and prioritizing that over the safety of the people on beaches.

Ms. Quarrie stated she thinks Commissioner Tobia is totally incorrect in his statements and she would like to go on record as saying she thinks that the County not paying for all of the lifeguards, when it is bringing in all of this money and all of the tourists, that is disregarding the health and the welfare of visitors, not to mention the other people who have to go out and try to rescue those poor people that do not know how to navigate Brevard County beaches; and she has not seen any material.

Commissioner Tobia advised the Chair that he asked a question and believes it was answered.

Chair Steele thanked Ms. Quarrie for her comments.

Commissioner Pritchett stated Ms. Quarrie is very nice and this is not an easy subject whenever talking about money and lives.

Ms. Quarrie stated she agrees.

Commissioner Pritchett stated she knows everyone agrees that people's lives are of the utmost importance whether they are guests or people who live here in Brevard County; no one wants anybody getting hurt; the majority of drownings, from what she is hearing from cities, is the people that are visiting the city; and she inquired if that is true.

Ms. Quarrie stated yes, in January they had a PhD that provided them a breakdown of everything.

Commissioner Pritchett asked again if that was correct data. She mentioned the thing is these people live in tourism towns on the beach; it is the personality of the area and probably has been since Ms. Quarrie was a little girl; this is what she has to manage; it is everybody's responsibility, the cities and the County because these people are guests; the cities and the County all need to figure out a way to start moving the needle a little bit; she thinks the cities need to participate; and her thought is, if a city is charging parking to tourists visiting their area then maybe they should be charging a little more to help cover some of the cost to help protect those tourists when they are there. She went on to say she thinks the cities need to go back to the drawing board and come back with a way to help move the needle; if Ms. Quarrie had said she has no paid parking then she would probably just leave it alone, like the other gentleman, but her city is making money on the tourists and a lot of the city's ad valorem is from tourists, by the way she has a great community, but she thinks the cities need to go back and start moving the needle; and she thinks that would be a better conversation than just saying they are not going to do anything anymore. She mentioned she thinks that is just irresponsible; but if they would work on it, maybe the cities and the County could get somewhere.

Ms. Quarrie stated they have their paid parking meetings at \$2; the way that the income is coming in they would have to make that \$6 an hour in order to break even.

Commissioner Pritchett stated maybe that is what her City can do.

Ms. Quarrie continued by saying they already have their police and fire putting together an ambassador program for patrols; they have already increased and streamlined their signage that was recommended; they already have a lot of other things that are on the beach; and she thinks the City is doing their part and she would implore the County to do more of its part.

Commissioner Pritchett advised the County is already paying almost all of it and it is going to

continue paying half; the cities have to start moving the needle a little; if they were to start charging more for the parking, the tourists are then paying for that; and they are agreeing, she is hearing the TDC money needs to do it, and that is tourism money, so as the tourism comes they can help pay for that service; if the cities would come and say they are going to double the parking and every bit that comes in extra they will help cover the lifeguards, then the needle is starting to move; but this cannot be a shutdown conversation, they will not get anywhere; and the cities know as well as she does that they need tourism in their community because they are tourism communities, so getting rid of the tourists is not an option. She commented she wants the cities to thrive and to do well; it is a wonderful community; and she reiterated if the cities would go back and start moving that needle with a real conversation then this could probably get somewhere with a way to move forward in the future.

Ms. Quarrie advised she will take it back to the commission; and she asked the Board to realize her City does not have hotels.

Commissioner Pritchett stated but they have parking meters.

Chair Steele inquired if at this point in time, the City of Melbourne Beach is not planning to enter the program.

Ms. Quarrie commented she is not there to say that, she is just there to say the City does not have the money, they are still striving.

Keith Capazzi, Mayor of Cocoa Beach, stated just to reiterate on the lifeguards and the revenue that the County also makes, Brevard County has 643,000 residents and Cocoa Beach has 11,350, less than 1.8 percent of all the residents in the County; he does not think it is fair for Cocoa Beach to pay for 50 percent of all the lifeguards when it makes up less than 1.8 percent; Cocoa Beach cannot handle a \$700,000 lifeguard bill, it is just not going to happen; Commissioner Tobia likes to bring up that the City makes revenue from their parking, and it absolutely does, it makes about \$3.7 million; and just so the County knows, they spend about 43 percent of their budget for safety which is \$5.6 million just on resident emergency alone. He went on to say the City is doing their part; just because it makes money on parking does not mean that it is not spent on tourists, making sure that the parking lots are maintained; Commissioner Tobia also likes to say on public television that the City prefers vanities over safety, which he thinks is a cheap jab; they had talked before that and the City did not plan to do the caricatures, that was from the previous City Manager; and with that being said, the City does not plan on paying into it because they feel it is the obligation of the County. He noted they pay County taxes, and it would be double taxation for lifeguards; they already pay taxes, everybody in the County pays taxes, and Cocoa Beach actually has the highest taxes per capita out of anyone in the County, with almost \$3 billion in taxable assets; and he does not think it is altruistic to make the City pay for half of the lifeguards. He continued by saying the Board did mention TDC could pay for lifeguards; TDC actually pulls in over \$3 million per month from Cocoa Beach alone; it advertises from here to New York for people to come and use Cocoa Beach beaches, swimming near lifeguards; the County advertises Cocoa Beach because it knows that Cocoa Beach brings in that TDC money; and he asked if the County is bringing in \$3 million per month, why not just spend half of a month of that income and use it for lifeguards for the year, it just seems logical.

Commissioner Tobia stated of course the mayor votes for the budget; and he mentioned that the City's taxpayers are the highest taxed in the County.

Mayor Capazzi commented they are and they also have the biggest debt.



Commissioner Tobia pointed out he got that; and he asked how Mayor Capazzi responded at the March 7 meeting, he used the word 'we' but he is not sure who the 'we' was that he was speaking about whether it was the Mayor himself or the council, but a Commissioner Skip Wilson, who sits on there said, "I believe we owe it to our constituency in our City to provide lifeguards at our City beaches."

Mayor Capazzi agreed there was one out of four that thought, or was afraid, that the City of Cocoa Beach was not going to have lifeguards, but he himself is not afraid because it is honestly not the City's responsibility it is the County's responsibility to provide safety for life and that is whether it be on land or on the beach.

Commissioner Tobia stated his question was very simple, when the Mayor said 'we' was he speaking for himself as an individual or for the board in total; and that was the question.

Mayor Capazzi advised he would cannot speak for the board in total, other than that vote, it was a 4:1 vote to not fund with the County.

Commissioner Tobia stated he wanted to be clear that there was a member of the City's Commission who spoke contrary to what the Mayor is actually saying here, and who prioritized public safety and thought it was incumbent upon the City to pay for half of the lifeguards; when the Mayor flippantly used the word 'we' he thinks it was unfair for him to generalize the entire council; he would like to say that he really appreciates what Mr. Williams said; and he thinks it was very important and wanted the Mayor to recognize that as well.

Commissioner Pritchett commented Mayor Capazzi had said a moment ago that the City of Cocoa Beach brings in \$3 million for tourism money.

Mayor Capazzi asked her to repeat that.

Commissioner Pritchett reiterated Mayor Capazzi just said that the TDC has \$3 million per month coming to them because of Cocoa Beach's tourism.

Mayor Capazzi stated the County had a printout that said 24 month record-breaker...

Commissioner Pritchett interjected by asking how much Cocoa Beach gets from tourism in Ad valorem, restaurants, and all those taxes.

Mayor Capazzi stated the City does not get money from tourism, Peter does.

Commissioner Pritchett stated no, they visit Cocoa Beach, they eat in Cocoa Beach's restaurants, the City is getting all those business taxes coming in and it is giving...

Mayor Capazzi questioned if the City receives sales tax from people eating in restaurants.

Commissioner Pritchett stated if he wants to go run the numbers on that and see how much the City gets from some of those taxes because it does get a share of those.

Mayor Capazzi stated the County can use half of a month and pay for lifeguards, he thinks that would work.

Commissioner Pritchett asked what if the County took the parking garages and used that

money to pay for all the lifeguards.

Mayor Capazzi stated the City has to pay for its safety, the fire and safety; and like he said previously, 46 percent goes to non-residents, which is \$5.6 million.

Commissioner Pritchett stated but the parking garages are there for tourism to park in, and the City is making money off the tourism parking in the garages.

Mayor Capazzi asked how much of a loss does the County have on its golf courses, is it more than Cocoa Beach.

Commissioner Pritchett stated she is in North Brevard and does not have to use any of this; she gets that the City needs to keep people safe but that argument will not work with her because North Brevard is not using any of those funds; to participate, she asked how much money the City has to take out of the parking garage fund, because it is all tourism parking there, and maybe to apply it to some of this, is the City willing to work on that needle a little, charge a little more money to start paying some of these fees; she asked if the City is willing to do that; and she noted it is tourism completely paying for the lifeguards.

Mayor Capazzi commented it used to until the County decided to charge them \$700,000 more that the City does not have; and the City is not going to play this game.

Commissioner Pritchett advised this is not a game; she is an accountant and she is trying to get some numbers; for Mr. Capazzi to say the City is not going to be responsible for anybody who visits his City anymore is really irresponsible; she thinks he needs to go back and work on something to help move that needle; and to just shut it down is not a good situation.

Mayor Capazzi stated the County's Code of Ordinances 262-27 states that the County pays for lifeguards.

Commissioner Pritchett noted she did not ask that question.

Chair Steele thanked Mayor Capazzi.

Commissioner Pritchett noted that is subject to change.

Chair Steele stated he apologizes but what he is trying to get is some conversation going from one side and answered from the other side, and when there is talking over each other he is not able to catch any of it.

Commissioner Pritchett apologized by saying that Commissioners have to do this because he or she has to vote, and that is what it does.

Chair Steele asked if Commissioner Pritchett is going to lecture him now.

Commissioner Pritchett stated she has to get information.

Jeremy Hutcherson stated he is a Commissioner of Cocoa Beach; he looks at this very simply as asking his residents to consider revenue share rather than the cost share side of it; it is really a hard pill to swallow to tell residents that the brand of Cocoa Beach is very valuable, it makes a lot of tourism dollars off of that; but if one looks at the revenue share versus the cost share, he thinks it is as easy as that.

Katie Delany stated she is coming at this from the citizen's side; she wishes a conversation would have happened prior to that budget hearing because personally, looking from the outside in, it is like a bomb was dropped on the cities out of nowhere; she does not think that is fair; and she does not think it is helpful when people are trying to work together and have a conversation, especially about money. She added to be honest, that is one of the hardest things to have a conversation about. She went on to say going forward, she hopes this Commission would change the way that it does that rather than dropping the ball on these cities; have the conversation and the deliberation between the elected officials even if it has to be a workshop or whatever it is; the County does interlocal agreements all the time and there is not this much combative nature going on; and as a citizen, she hopes the County can do better.

Commissioner Goodson stated the Board gave direction to staff for the County Manager and County Attorney to go out in May 2023 to talk to these people; it was not dropped on them at the Workshop, they were well aware of this; and he asked if that is correct.

Frank Abbate, County Manager, responded affirmatively; and he noted there were multiple meetings with each city.

Morris Richardson, County Attorney, advised in May 2023 and September 2023 the Board gave direction to deal with the cities on that 50/50 cost share basis; and they met with each of the beachside cities, even the ones not receiving lifeguard services currently.

Ms. Delaney remarked they seemed like they were blind-sided, and that is just from somebody looking in; she is a citizen, the Board is paid to be there and paid to do what it does; but from the outside looking in, this should not be the way it does business, the way this has happened.

Commissioner Goodson commented they looked blind-sided; and he asked if Ms. Delaney could advise what the Board is supposed to do next time.

Ms. Delay responded by saying she does not think that is her job, that is why the Board gets paid the big bucks.

Commissioner Goodson reiterated staff did go to them prior to the Workshop.

Kristin Lortie stated she has an answer for Commissioner Goodson; she has a few ideas; she was aware that there were discussions that happened in 2023 about the lifeguards and that this was a matter that was not resolved; now that everyone has rounded the bend into 2024, the conditions are not right for this discussion to have happened; these were brought up at the February 29 Budget Workshop and these people were not notified; the Board needs to be clear, these people were not notified that there was a non-agenda walk-on Item presented at the February 29 Workshop; and this very Item tonight on what is being presented was presented as a Consent Agenda Item, not as a 'let's chat about it' Item. She reiterated it was a Consent Agenda Item in which the Board is moving forward with; there is no reference to the three Florida TODAY articles, no reference to the two feature stories on the television, no reference to the controversy, just marching forward with this grant program, and the funding is a done deal in the rearview mirror; that is not the setting that people have a conversation in; people in this meeting are being talked over, not just herself earlier, but people that she listened to on this Agenda Item were talked over after they were asked a question because this Board is so eager to get its own answers and to control the conversation; and she wants to commend Chairman Steele for something he said in Florida TODAY, that would present much more favorable conditions if it were to really happen. She went on to say in the Florida TODAY

article by John Torres it states, "Steele explained, the Item will come back around again when the County Manager releases his final proposed budget in July and he's promised there will be plenty of time for public input then. We'll address it in July very intensely, Steele said, because I'm going to demand that everybody knows exactly when that conversation shows up, and I'll tell you what's going to happen when it does, we're going to have a lot of people in that County Commission meeting"; that meeting appears to be happening right now, tonight under a Consent Agenda Item to do an up or down vote on the already marching forward of the grant program where these cities have been stripped, some of them to 90 percent, that the County was doing a 90 percent contribution prior and now stripping it down to 50 percent, and acting like that is normal; she objects to the conditions of this, there being no reference to the controversy in the Agenda Item, and to presenting it as a win in the Agenda Item, so someone who is looking at it does not know how much the increased cost is for the municipalities; she mentioned even though those dollars are all there, it does not state the extent to which the budget is changing and that these cities might not be happy about that; she objects to the funding discussion on February 29, where her speaker card was denied personally when she saw that the Board was doing a non-Agenda Item; her speaker card was denied and the County Attorney was gracious enough to provide a response, which she has disputed, but nonetheless, she was not able to speak on that, but she is able to speak now; and she objects to the process, she wants something where there is an actual workshop where there is an actual two-way discussion, and not just people asking questions and people being cut off.

Robert Klimkowski stated around the time he launched his business, Launchpad Solutions, he is not trying to lobby, but he traded his offshore, man overboard search and rescue system to place on the back of cruise ships, it is a heavy weather drone with an IP rating of 67 and it goes on the back of cruise ships and it drops off life rafts to people that fall overboard while telemetry and VTOL and some security measures aside, if that can be something used for lifeguards where the County uses drones under 60g, 1511 no longer can be used, but US-based drones for government agencies, he tried to contact Central Purchasing Services, Brevard County Fire Rescue (BCFR), and the Police Department, yet going through the proper channels as Central Purchasing Services; that would be something where it would save costs, there is a lifeguard pay per hour; if the County were able to have a drone for a year or a piece of equipment that could not only measure the security aspects of it, but be there for an interlocal program for the high schools and the colleges, such as Florida Institute of Technology (FIT) who has an expo and do some amazing stuff with their UAVS and UAS systems; he has heard a lot of problems up here and he is trying to present solutions because he has heard the back and forth; he has never been to a Commission meeting where there has been this many elected officials going back and forth with other elected officials; he thinks there is a solution to it; and he thinks people should present solutions to the problems and not just the problems at hand.

Chair Steele inquired in regards to the Workshop, Commissioner Tobia's motion was just a proposed motion, and it was not set in stone; it was not an automatic that, that was going to happen until the budget would be approved later on; and he asked if that is an accurate statement.

Attorney Richardson stated that is absolutely correct.

Chair Steele noted, once again, there was nothing cast in stone at that Budget meeting, period; it has been relatively calm so he would like to keep it that way; tonight what the Board is doing is, and if he is not mistaken, this is in the event that the Board accepts that proposal, these are the forms that are going to be used to enter into contracts with the cities; and he asked if that is correct.

Attorney Richardson stated these are proposed forms for a grant program that would award funds to the City to help fund lifeguards at city-maintained parks.

Chair Steele mentioned it does not say that the Board is going to do that does it.

Attorney Richardson replied it does not, the Board would have to ultimately approve through the budget process the use of those funds; this would give guidance and they would expect to receive applications from the cities if the Board approved this tonight; there is a deadline in the program of he believes a July 1 deadline for grant applications.

Mr. Abbate advised that is correct.

Attorney Richardson commented that is prior to the budget hearing.

Chair Steele stated just to set the record straight, there is nothing cast in stone here this evening until the Board has its budget hearings in June or July; in the event that the Board entered into any of those agreements, staff would have everything ready to go, in the event that this passes; he has laid back on this for a long period of time and he would like to make just a few comments; TDC funds are perfectly capable of being put into play for lifeguards; he has wanted TDC funds to be used for lifeguards from the very beginning; he has a tremendous amount of respect for Commissioner Tobia, he thinks what he is saying he believes, and he would like participation with the cities; and he understands all that. He added he thinks Commissioner Pritchett is trying to do the same thing; he knew this was going to happen; it does not take Albert Einstein to figure out that when the numbers were so high that the cities were going to come back and say no; he does not know what the Board is going to do if there is a stalemate on this; it is going to be very ugly; and it is potentially going to be very harmful to the visitors and anybody that is on that beach. He commented everybody may walk away from this saying, "we showed them, that was so great" while there are people drowning on the beach or being pulled from the surf; he is not buying it; everyone is going to have to get together somehow, whether it is to call a public meeting, or a public workshop, or whatever it is, to determine how this is going to get done; but everyone needs to get this done because the first person that dies out there on that beach, it is on the cities and the County, not just one or the other. He stated he is praying that the entities can come up with some way to get this done before the budget is over; and he is not prepared to talk about it tonight but he thinks the County should use TDC money and do things like that.

Commissioner Goodson asked how much money can be used out of TDC, what is the percentage that could go, is it 100 percent.

Mr. Abbate stated the amount that could be used is dependent upon whether he is talking about it going for all the beaches, whether it is municipal or incorporated.

Commissioner Goodson stated if it was used for everything.

Mr. Abbate stated at that point, the issue is how much the Board chooses to utilize within the pennies that are available; if it prioritizes that, it could use it up to the full amount; he believes the County Attorney has already stated that because he inquired that of him; and he believes it is accurate.

Attorney Richardson stated he should clarify that he issued an opinion earlier that said the use of TDT funds is permitted, but he should qualify and say it is only certain portions of the TDT that is available for lifeguards, it would be parts of the marketing fund basically and for towers

and capital equipment potentially through the capital program, would be the availability; but there would be certain pennies that ironically, cannot be touched for lifeguards, for example the Beach Fund.

Commissioner Goodson asked if it would be correct to say that the Board could fund 100 percent of the lifeguards or 80 percent, can he provide some idea.

Attorney Richardson explained if the money was there the Board could, but he is going to guess Peter Cranis, Tourist Development Office Director, would tell him the funds in the right places are not available to do that; however, he is not the money person.

Commissioner Goodson mentioned right now there is an uptick in the money to the tune of \$3 million; and he asked if the TDC had not exceeded its last month over \$3 million in the previous year.

Mr. Abbate inquired what is Commissioner Goodson saying.

Commissioner Goodson stated what he is saying is that the economy is so good; and he asked if they exceeded last year's March by \$3 million.

Mr. Abbate advised they had a month where the collection was, he believes, in the \$3 million range; and he thinks they were in the \$26/\$27 million for the year.

Jim Liesenfelt, Assistant County Manager, advised they were budgeted for \$27 million a year; February was \$2.7 million; and that was the last month of collections.

Commissioner Goodson stated so there is a possibility that everybody could be happy; at the same time, if there was a recession, then it would be right back in the Board's lap to try to fund it; and he asked if that was correct.

Mr. Abbate responded affirmatively; and he stated tourism is one of the first areas, if there is a recession, that is going to be hit harder.

Commissioner Pritchett stated if the Board could figure out how to do this, it tried in 2023 and there was a hitch with being able to only do it for capital projects; that would be something that she would like to look at; she is not willing for people to die on the beach; this is good dialogue; every time the Board brings something up and everyone is able to have these types of conversations, because the Board cannot speak in private, so the people are watching the Board work all of this out with the information being provided, asking the right questions, because ultimately the Board has to vote and it does not want not make mistakes, it wants to make good decisions for the people in Brevard County; this is a very healthy thing that has transpired tonight, in finding out where people are and what they might be able to go back and get help with; and she is with Commissioner Goodson, she would love to be able to use some of those funds if there is an ability to do it and they are up. She added what she would really like is for the cities to help with this; go back and figure out ways to help stimulate tourism funds as well; it is a good start of a conversation and it has opened up a lot of good, healthy dialogue; the goal is that nobody dies and Brevard County stays a wonderful County with people being able to come and enjoy the County with a safe situation; and she asked if everyone would go back and start working on moving his or her needles, she thinks the Board could all possibly get somewhere. She mentioned she does not think the Cities will be able to pull off half yet, she does not know, but if the cities cannot help budget a little, it has her concerned; it is a good thought by Commissioner Goodson; and she would be very happy if

that can be pulled off.

Commissioner Goodson stated the one thing he did not like about the proposal is Commissioner Tobia put on there a condition that said with a savings that would go to transportation and safety; he thinks that should be stricken because he thinks the Board should decide where the savings go, if there is a savings; and he asked if Commissioner Tobia stated that.

Commissioner Tobia advised if transportation was added in there, it was a scrivener's error because his intent was for it to go to Public Safety; the idea is there is no savings here; the idea behind this program is, as was heard from Cape Canaveral, that they may look into getting this program and if there was a buy-in from the cities, this grant program could be offered to communities that have beaches right now, but do not have lifeguard programs; the Board has made good first steps on this; the County Manager and County Attorney had met with the cities like Indian Harbour Beach and Satellite Beach and said here is a program in which the County will pay 50 percent for lifeguards for public safety; he hopes there is no savings in there; and he hopes that the County is able to take the same amount of money and provide lifeguards for a greater portion of the County's beaches. He commented he has no idea, it is pretty clear where one member of the Town Council of Cocoa Beach is, but he does not know what all of them are going to say; if there is some sort of savings, he thinks it is very important that it stays in public safety and public health; that is a broad category and the County spends tens of millions of dollars, but his one area is for the Public Health Department and that can be added in the budget, because Dr. Zonka was looking at providing services for more folks in a more private setting; and that would have to go through the budget process. He noted he would spearhead that, but he did not want anyone to think the Board was putting this in other buckets; and definitely not transportation, but public health and public safety are the areas that were his intent.

Commissioner Pritchett stated she was just going to recommend the Board table this for one more meeting until the Board gets data back on maybe some funds that might be available, the TDT funds; and if the cities would go back and just do a little sharpening to see if they can help with this, maybe everyone can come to a place that is good for everybody.

Commissioner Feltner stated the Board had quite the discussion before, that using tourism tax was problematic; if there is enough money in the bucket, is the County Attorney telling the Board tonight that potentially it could pay for the whole lifeguard program; and he inquired if that is correct.

Attorney Richardson stated consistent with the prior opinion, it is from those certain pieces of the TDT, so it is a portion of the first two pennies and a portion of the fifth penny that is in the Marketing Program; it is dependent upon marketing that service as part of tourism; people will see things like lifeguard towers, on billboards, or marketing efforts showing the lifeguards on the internet to support that as a service; if all those things are done, the Board can access all of those funds; but he wants to emphasize that it is a portion of the funds and there is competition for those dollars in those buckets because they are marketing funds and used to advertise and promote Brevard County elsewhere.

Commissioner Feltner stated he appreciates the opportunity costs and the discussion on that; without tourism tax or without the cities participation, his understanding is 100 percent of the lifeguards cost would come from County General Fund; and he asked if that is correct.

Mr. Abbate explained currently, Cocoa Beach participated for many years up to this year where

they changed it, but they were paying for approximately 25 percent of the seasonal lifeguards, as were other cities; and outside of that portion of the cost, the County was paying the rest of it through the General Fund.

Commissioner Feltner asked so without any other participation, is 100 percent going to be paid for by the property owners of this County.

Mr. Abbate confirmed he said a portion of it.

Commissioner Tobia stated here is a large problem; he heard 100 percent, so assume for a second that the money is there, assume the economy does not take a down turn and there is consistent revenue, even assume a three or five percent increase, assume that the Board offers and fully covers the lifeguards in Indian River like it does now, Melbourne Beach and Cocoa Beach, assume Satellite Beach is listening to this conversation right now, and Satellite Beach says, they pay into tourist development with some short-term rentals and all that stuff and they would like three or four lifeguards; assume Indian Harbor Beach hears this and says they would like lifeguards; this \$2 million program will be a \$5 million program overnight and there is absolutely no way that the marketing fund will be able to bear that burden, so it is a misnomer to say that 100 percent could cover lifeguard services because it will not happen because the other cities will come and ask for equal treatment; and then the Board will start running into problems when it is paying 100 percent of lifeguard services for Cocoa Beach and zero for Satellite Beach. He commented that the Board needs to stop negotiating against itself; there is a proposal here that needs to be provided to the cities; the cities, as an organization, can come together and create a counterproposal to the Board; what he is concerned about is, if the Board does not take action today, what happened last year when the Board waited until the last minute and decided to give it one more year, that same thing is going to continue; he is going to make a motion to take this proposal, that even the opposing side said was put together very well, and send it to the cities; some cities may reject it, some may accept it, but at least they will provide the Board with their feedback; and they may say 50 percent is unreasonable and that they are unwilling to do away with the golf course, even though Brevard County did away with its golf courses and does not spend one dollar on golf courses, but nonetheless, he wants to put this forward. He explained he will put forth a motion and this takes the documents he has provided and taking them to the cities; he reiterated the cities can reject or make counterproposals, but if the Board does not take action now, it is going to be up against the gun at the last minute when making budget proposals; and he read his motion. He went on to say as Chair Steele said, this all gets encumbered in the budget, the Board just needs to have those numbers going in; this is what triggers that; he sincerely hopes that the cities accept this, and if they do not, that they would at least provide a counterproposal; the only counterproposal the Board has right now is from the City of Cocoa Beach which said that the \$90,000 they were going to pay, they no longer are going to move forward; and he reiterated this is just sending it out to the cities and seeing what responses come back.

Commissioner Feltner asked for the deadline to get them all back by; and he noted as Commissioner Tobia pointed out, the Board will have to come back and clean some things up later.

Mr. Abbate stated in part of the package that the Board has, there is a proposed letter that will go out to the cities; that letter indicates that they are looking at either July 1 or June 30; the reason for that is so that he can submit to the Board an appropriate proposed budget that takes into account who is participating and how many dollars need to be in the budget to cover those costs; and that is how it was put together.



Commissioner Pritchett stated this is going to continue the conversation; she has another six months so this is going to end up being Commissioners Feltner and Goodson's next budget; if the Commissioners can go find something with the cities that can be lived with, and get three votes together, she will be the fourth; she is going to watch and see what is brought back; this is Commissioner Goodson and Feltner's areas and something those Commissioners have to pull together for the budget; and if Commissioner Tobia wants to send this out right now to keep the conversation going, she does not object to that because it is healthy. She reiterated by the end of it, whatever Commissioners Feltner and Goodson come back with, she will be the fourth vote on it.

Commissioner Feltner stated he thinks the municipalities and the County could agree that it is preferred that tourism taxes pay the whole entire thing; he thinks that is a good goal, but he does not know if it is realistic; he thinks everyone would prefer to not have to pay lifeguards out of the General Fund, respectively; and he will see what the future holds.

Commissioner Steele added he thinks it is a complete waste of time; he thinks to send this out to the cities right now is a complete waste of time because the bottom line is that he heard what the cities said tonight, that they are not going to do it; he said it before and now he is saying it again tonight, and wasting more and more time; he just does not know how the Board is going to get there with a proposal that is potentially the forms and the stuff that it has; and until the County has the amount of money that it can get from the TDC, he is a no vote on this.

The Board reviewed and approved the Brevard County Lifeguard Services Grant Program; provided the County Manager and the County Attorney the authority to offer eligible municipalities that have beaches along their managed parks, the opportunity to participate in the Grant Program; and authorized the County Manager to execute the Grant Agreements, Notice of Awards, Request for Payments, and any necessary Budget Change Requests associated with this Program and Agenda Item.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Rita Pritchett

The Board adjourned at 6:37 P.M. and reconvened at 6:44 P.M.

**I.1. Report and Discussion Regarding Tree Maintenance along the County portion of Rockledge Drive. - District 2.**

Marc Bernath, Public Works Director, stated this Agenda Item is to request the Board receive a staff report as well as public comments regarding tree maintenance to be performed by Public Works in the coming weeks; Public Works has long standing concerns on this transportation corridor; staff has focused on improving safety by bringing the road into compliance with Federal, State, and County standards relating to roadway clearance for vehicles traveling along the road; citizen concerns have mainly been associated with preserving the character of the road corridor; most recently, staff performed reviews, as well as an engineering evaluation of the situation; of the more than 1,000 trees in close proximity to the road, just 61, or less than six percent require any trimming; and no tree requires complete removal, however, 15 trees which is less than one and one-half percent, require severe trimming. He continued by saying all 61 trees are in fair to poor condition and most have been previously struck by vehicles; Rockledge Drive is a public road under the jurisdiction of the County by virtue of deed, plat, or maintenance and therefore, must be maintained in accordance with Federal, State, and County regulations; trimming will be limited to what is overhanging the road at the State and Federal minimum height at 14 feet, as was confirmed acceptable by the County's Traffic Engineer's analysis; staff intends to send out notices starting tomorrow for advanced coordination with

property owners on those trees that require significant trimming or cutting, but is starting minor trimming as early as next week; staff will not be going on private property and will perform necessary cutting from the right-of-way; and the only removal that will occur will be at the specific request of property owners, with an appropriate release of liability. He noted all actions will be minimal, in accordance with regulations, and required for safety while also ensuring that the character and the nature of Rockledge Drive are preserved to the greatest extent possible for a win-win; and to that end, staff has considered numerous alternatives over the past several years including a one-way study, a tree replanting program, and relocating the road around the trees, none of which were deemed feasible or acceptable. He advised staff is available for any questions the Board may have.

Commissioner Goodson stated he has quite a few questions; and he asked Mr. Bernath to describe to the Board the process that Public Works took in the tree survey.

Mr. Bernath advised staff performed multiple surveys over several years under the supervision of the County's certified arborist, during past attempts to trim the trees; the latest was in October 2023; the current survey that is in the Agenda is split out into three categories which are minor, major, and major plus-plus; to re-enforce that, the County is not involuntarily removing trees on private property, only what is in or overhanging the right-of-way; subsequently, Natural Resources Management performed an evaluation in October and finalized it in March, that was by a certified arborist as well, which was Amanda Elmore, Natural Resources Management Deputy Director; it was predicated on the tree location provided by Public Works at the request of the County Manager's Office, in order to review the health of trees, vehicle damage, percent of canopy loss, all old growth, and other exceptions; and the trees were ranked in fair to poor health, none of which were deemed in good condition.

Commissioner Goodson asked Mr. Bernath to describe the process for Natural Resources Management's tree survey.

Mr. Bernath advised that Ms. Elmore went out there personally, as an independent certified arborist, using the tree locations provided by Public Works, and independently reviewed the tree health of all the trees that he had previously mentioned; it started at 65 and is now down to 61 because of prior removal by owners; and she reviewed vehicle damage, percent canopy loss, old growth, and if any trees were exempt under the County's Landscaping Code.

Commissioner Goodson noted the statement has been made many times that the County is clear cutting; and he asked Mr. Bernath to explain to the public that it is not correct and tell them what is actually taking place.

Mr. Bernath stated clear cutting is not an accurate representation of the facts; staff is proposing to trim only within the right-of-way which generally, follows the edge of the payment up to 14 feet high; of the 65 trees that were looked at out of more than 1,000 trees surveyed, and counted along Rockledge Drive, there were two that were accounted for in the October 2023 survey that were removed by property owners; and then in Natural Resources Management's assessment, an additional two were noted as being removed in the March time frame, which gets them down to a revised total of 61; and there are 28 which are slated for minor limb trimming, 18 slated for major limb trimming, and finally, 15 of the 61 that are slated for major plus-plus trimming, which is less than one and one-half percent of all trees on this 2.6-mile section of Rockledge Drive.

Commissioner Goodson asked if Mr. Bernath would explain to the public why this is being done now.

Mr. Bernath stated Public Works has tried to trim the trees on Rockledge Drive since 2014; prior to that time, staff had been doing it, while there were some concerns, the County's certified arborist worked with residents and they were able to continuously perform trimming when it was necessary; since that time, staff has been impeded for a number of reasons; they have worked with the community, specifically the Rockledge Drive Tree Coalition and their current and past counsel, and the public at-large; and they have had meetings with County leadership, elected officials, and even commissioned expensive studies such as one-way study, drainage study, offered a voluntary tree program to replant trees back further from the road, and even looked at rerouting the road, at a Commissioner's request, around all the existing trees, in an attempt to find a compromise, but none were deemed viable.

Commissioner Goodson asked if Mr. Bernath could explain to the public why the County can cut the trees.

Mr. Bernath stated under tree law which is based on Scott versus McCardy, the adjoining landowner, in this case the County, may, at its expense, trim back healthy branches or roots that encroach onto its property, but only up to the property line which in this case is the right-of-way line or the edge of pavement; and this has been upheld in situations where cutting could harm the adjacent tree.

Commissioner Goodson asked Mr. Bernath if he could explain to the public that the County can impact roots and branches per the tree law.

Mr. Bernath stated as he relayed a moment ago, under tree law, as the property owner of the public road, under common law, the County owns the land beneath the surface of the land and the air rights above the surface; and that said, the current efforts are focused on just tree trimming, not the roots, although in the future if the County has to put the sewer line down the middle of the road, and or when it goes to reconstruct the road, roots may be impacted.

Commissioner Goodson asked if the Fire Department needs the trees trimmed.

Mr. Bernath replied, according to Fire Chief Patrick Voltaire on October 30, in his communications citing the Fire Marshall and the Florida Prevention Code, it states that not less than 13 feet, six inches of unobstructed vertical clearance is required for the fire trucks.

Commissioner Goodson asked if the Waste Management trucks need clearance or should the County just place dumpsters at the end and let people take their trash to the dumpsters.

Mr. Bernath stated according to Waste Management Director, Tom Mulligan, on October 30, he was copied on an email to Waste Management documenting their conversation regarding trash collection services, acknowledging drivers that collect trash on Rockledge Drive must cross opposite lanes of travel in order to avoid the existing tree branches; and he also recounts that it stated in that correspondence that 14 feet would provide a level of safety necessary for their trucks.

Commissioner Goodson inquired if the trees interfere with school buses.

Mr. Bernath responded by saying County staff remains concerned about the safety for school children; he had staff out there last week and they witnessed on multiple occasions a school bus full of elementary children as they were being dropped off on the afternoon of April 4, multiple times crossing the double yellow line in order to avoid the low hanging or leaning trees.

Commissioner Goodson inquired if there is any truth in the fact that County roads do not have to follow the Greenbook; and he asked Mr. Bernath to explain that.

Mr. Bernath stated according to Brevard County Code, Section 86-69, it stated that roads will comply with Florida Department of Transportation (FDOT) standards, further Florida Statutes 334, in multiple sections, provides FDOT to adopt uniform minimum standards for the State of Florida which includes its political subdivisions; the County's Traffic Operations Manager performed an analysis on Rockledge Drive and in accordance with both, the FDOT Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways, which as Commissioner Goodson just referred to as the Florida Greenbook, as well as the FDOT design manual; and her analysis determined that instead of the maximum, or the stated height of 16 feet, plus an additional six inches for paving, that the County can reasonably lower that to 14 feet which is the best way to help protect the character and the nature of Rockledge Drive to the greatest extent possible, while achieving a safe road because they are trimming at a lower height.

Commissioner Goodson inquired if the larger vehicles could use US1.

Mr. Bernath stated while they can use US1, Rockledge Drive remains a public road and County staff continues to believe the appropriate standard requires that the road be capable of serving emergency vehicles, recreational vehicles, trash collection, school buses, moving vans, box trucks, delivery vehicles, and et cetera; this road was transferred by FDOT to the County in the late 70s; and the County has the requirement to uphold all Federal, County, and State regulations.

Commissioner Goodson asked if Mr. Bernath has documentation to prove maintenance.

Mr. Bernath stated according to Florida Statute 95.361, after seven years of maintenance, all rights, title, easement, and opportunities were vested in the County without the maintenance map that was brought to the Board last month; as he mentioned a moment ago, the County has been maintaining this road and have records since the late 70s showing that; and they have also turned that over to the Rockledge Drive Tree Coalition on November 2, 2023 which was over 300 pages.

Commissioner Goodson asked about the crash history on the road.

Mr. Bernath shared that since 2014 there have been 26 crashes, 10 involving trees, with four as directly caused by trees as provided by State data; in the tree assessment, it noted that about half the trees were in poor condition, half in fair condition, none rated in good condition, and some barely viable; and out of that, 84 percent of the trees showed signs of vehicular damage.

Commissioner Goodson asked why signs could not be put up on the trees.

Mr. Bernath stated staff has posted signs when it met with the public back in 2021, after that there was a lot of conversation between staff, the Rockledge Drive Tree Coalition, and members of the public; while it was adequately signed, staff added additional low clearance signs, and that is in accordance with the Manual of Uniform Traffic Control Devices; however, it does not negate the current safety concerns, and the County not addressing State and Federal minimum road standards.

Commissioner Goodson commented he read statements that they say trees do not cause accidents; and he asked for Mr. Bernath's response to that.

Mr. Bernath stated it is true that speeding, not paying attention, et cetera are reasons that drivers run into trees and tree trunks; however, staff's focus is on the vertical clearance not the horizontal clearance; in the attached technical memorandum, as required by law, staff analyzed this and there are distinctions both in State and Federal standards to help maintain the character of the existing road and also from the horizontal perspective, having those trees provide some level of traffic com-ing; and the County's goal is to protect the character and nature of Rockledge Drive to the greatest extent possible, while also achieving a safe road that meets State and Federal minimums.

Commissioner Goodson asked if Mr. Bernath would say this is a scenic drive.

Mr. Bernath noted it is a scenic drive or route as designated in 1965 by the Legislature, but at that time there was no process or rigor according to FDOT and Federal Highway Administration (FHWA) reps; it holds equivalency of designating a street after someone today; and that designation will not change.

Commissioner Goodson asked why the County does not apply for funding to save the trees, with one of the State or Federal agents.

Mr. Bernath stated as previously briefed to the Board, the only protection it offers is to avoid billboards which is not an issue here; neither program, State or Federal, is currently funded; further, FDOT does not support an independent leg of the Indian River Lagoon (IRL) byway, and the IRL byway is not interested in adding this section, per his discussions in October with FDOT and FHWA; to be federally eligible, it must first be State-eligible and their acceptance would only be predicated on the State's criteria which does not involve saving trees or transportation, hence no Federal protection; and this was communicated to the Rockledge Drive Tree Coalition, as was forwarded to himself by FHWA and FDOT, in October and they knew about those provisions.

Commissioner Goodson noted the statement has been made that Public Works is not listening; his opinion is that not everyone is being heard; there are those in support of the tree trimming; and he asked if that is correct.

Mr. Bernath responded affirmatively; he stated the Rockledge Drive Tree Coalition, certain members of the public, and the media continue to perpetuate some misinformation, not listening to what the County is stating about its safety concerns; they receive multiple service calls from Rockledge Drive residents who reported they were harassed by their neighbors for wanting the trees trimmed; even requests by Solid Waste on behalf of Waste Management; and regardless, they are a safety concern and not addressing them remains a liability.

Commissioner Goodson stated a comment was made about purchasing smaller equipment; he finds that to be fiscally irresponsible; and he asked what Mr. Bernath's opinion is on that.

Mr. Bernath stated this option was explored and is possible at a premium, equipment would be needed and sourced from out of the area; however, this is not exclusively about the County's future plans to pave, it is about the State, Federal, and County minimum standard of 14 feet for the box trucks, garbage trucks, fire trucks, and RV's that travel that road every day.

Commissioner Goodson commented Mr. Bernath is well aware that the City of Rockledge does

not do this; and he asked why.

Mr. Bernath commented that is correct; the maintenance map that was filed is regarding Rockledge Drive for the unincorporated part which is from US1 to Rockledge City limits at 1851 Rockledge Drive; the County has no decision-making authority over the city's portion of the road; however, State and Federal, as well as County standards do require a 14 foot minimum requirement; and he cannot speak to what the City does or does not do.

Commissioner Goodson mentioned Rockledge Drive has been called one of the most historic roads in the County and they are the only one; and he asked if it is similar to other roads or if that is the only one.

Mr. Bernath stated North and South Tropical Trail are similarly scenic; those corridors have height clearances that comply with State and Federal standards; and as a matter of course, when any other tree on any other road in unincorporated Brevard is called in, staff has maintained them unimpeded, unlike Rockledge Drive.

Commissioner Goodson asked why a previous Commissioner promised not to cut the trees.

Mr. Bernath responded by saying that is not necessarily an accurate representation of the facts; Public Works has a copy of the letter former Commissioner, Curt Smith sent; it stated the County rescinded the voluntary tree removal and replacement program, that was attempted as a way to obtain voluntary participation; at that time, the County temporarily suspended trimming because it was the intent to wait for the upcoming paving that the Board told the citizens the County would be doing the following year, and to do it in conjunction; however, the letter affirmed the County maintained its right to do so, as it does throughout the rest of the County; and because of the sewer project Natural Resources Management and Utility Services is undertaking, the County delayed paving plans until the design is far enough along to determine if it will either disturb or not be disturbed so that it can save taxpayer money and pave the road once.

Commissioner Goodson inquired if these are specimen trees.

Mr. Bernath advised he will defer to Ms. Elmore.

Amanda Elmore, Natural Resources Management Deputy Director, stated Brevard County does have a definition of specimen trees; basically 24 inches in diameter at breast height which is measured four and one-half feet from grade; the trees have to be in good condition; and she did not see that any of the 61 trees were in good condition, most were in fair or poor condition.

Commissioner Goodson asked staff to explain to the public the Land Clearing Code.

Ms. Elmore stated in a nutshell, the Land Clearing Code does require preservation; one of the things that she was asked to look at in contrast with the previous tree evaluation was whether or not the Land Clearing Code applied to these specific trees; what was found was that more than 90 percent of them would be exempt because of their condition or because of the hazard that they were posing; and the others were only getting lightly trimmed so the Code would not even apply to the remainder of those other trees.

Commissioner Goodson asked for an explanation of the impact of tree trimming to the surrounding environment.

Ms. Elmore stated she looked at canopy loss with the proposed trimming at an extreme, she was pretty liberal with that estimation and it was 25 percent canopy loss with the trimming that is proposed, and would be recovered over time.

Commissioner Goodson asked if staff has kept the public informed in all of this.

Mr. Bernath stated as mentioned previously, staff has a prescribed time line to present Agenda Items; for both the March 12, maintenance map, as well as this, and staff has met those obligations; the Agenda is then published to the public; however, in addition to that, emails that were previously sent to Public Works or if those residents have communicated a concern they were emailed before both meetings; once the public notice was made, as a courtesy, the County Attorney also sent notifications to the Rockledge Drive Tree Coalition's attorneys; and as he mentioned earlier on, staff had numerous engagements, both public meetings, Commissioners both in District 4 and then later when it was in District 2, prior Commissioners to those now, had engagements with them. He reiterated staff has communicated at every step either in public or by email; and then by letter to those 37 affected homeowners that are being talked about.

Commissioner Goodson asked if there is anything else Mr. Bernath would like to say to the public.

Mr. Bernath responded no, but he would be happy to answer any questions for the Board.

Commissioner Goodson stated he has heard people have professed that by removing these trees, it will incur more flooding on that road; and he asked if that is a true statement or if that is known.

Ms. Elmore stated of the 61 trees, only 15 require significant lifting; she believes Public Works is going to offer the opportunity for the property owners, eight property owners that are affected, to meet with their arborist to discuss whether or not they would like the tree just removed instead of being significantly pruned; even if all 15 were removed, there are more than 1,000 trees in close proximity to this roadway, so it is still 15 trees out of 1,000; therefore, increasing erosion, she does not know if that is a real concern.

Tom Bradford stated he lives on Rockledge Drive and has lived there continuously for 30 years; he is on the Board of the Rockledge Drive Tree Coalition and therefore, pretty familiar with things that have come to them and things that have not; the first things he wants to say is going on three years ago, he sat in Mr. Abbate's office concerning the same matter and he was told the matter had been settled and that the County would not be touching these trees, which up until now, it has not; now after a two-year dormancy, the entire issue has arisen again; this time, the claimed reason for the County to have the authority to cut their trees, which first of all it is valuable property of homeowners who paid a lot of money for the privilege of living on that street and having those trees, as the County claims continuous maintenance on the road and contiguous right-of-way property for seven years, he disputes those claims; and the Coalition's attorney, J. Christy Wilson, has asked the County for proof of this beyond signed declarations and none have been forth-coming. He went on to say further, notifications were only sent to a few residents about all of this and with just a few business days before March 12 and now the April 9 meetings on this matter; most of them only heard about this through the grapevine and it is of great importance to them; now, if the County claims right-of-way, that is not legally determinative, the County is going to face inverse condemnation actions; the Coalition has contacted a surveyor, have contracted with them, and is in the process of having surveys done, overlaying the maps to establish the attempt of taking private property, trees, canopies, and so

forth; this road is unique in the State of Florida, an explosive development of Florida and Brevard County in particular, have made such irreplaceable treasures as Rockledge Drive, all the more rare; and it is important for the balance of the environment and for the quality of life for the citizens. He went on to say he is respectfully asking that any proposed action, taking land, claiming right-of-way, cutting trees be tabled if not be ended once and for all, so that Brevard's residents can finally be assured that this priceless, one-of-a-kind designated scenic drive will be preserved in all of its beauty for the benefit of all Brevard citizens and residents now and for generations to come.

Commissioner Goodson stated 63 and one-half percent of Brevard County voters said to clean up the Lagoon; and he asked how Mr. Bradford feels about the sewer line going down Rockledge Drive.

Mr. Bradford noted that is an issue that is not entirely clear to him because in all honesty the Coalition had asked about the sewer line and it received the answer that there really is no plan yet; this has been a little bit of the issue in that he feels like people have really not received definitive answers, as he thinks has been portrayed this evening; he thinks there has been some innuendos, communications back and forth to some degree, but it has not been clear; and the other thing is, he is not sure sewers is even the best answer to this issue; and he understands the issue of trying to clear up that Lagoon, and everyone is for it; but he believes there may be other solutions, such as advanced septic systems, and that could make better sense because it will preserve the beauty of this drive; people can talk about 1,000 trees, but only some of them are Oak trees; and probably the majority of them are palms and things like that. He noted some of these Oaks are majestic and old.

Commissioner Goodson commented Mr. Bradford says advanced septic but the experts say those are good but not near as good; Mr. Bradford said money, but he wants the Board to allow him not to have a sewer system and tie on to it, but go up the hill to somebody that might not have as much money as him and force them to have a sewer system; and he asked if that is basically correct.

Mr. Bradford responded he does not believe he said that at all, he said it is an alternative.

Commissioner Goodson noted he spoke about money; he understands Rockledge, there is a lot of money there; and he would guess they will have to come to an agreement on which is better a sewer line or septic.

Mr. Bradford commented he did not know that was the discussion for this evening.

Commissioner Goodson stated it is probably going to be eventually, so he is asking Mr. Bradford his opinion.

Mr. Bradford commented that would probably be a great thing to talk about at that moment but tonight he is not prepared to have a debate over those things.

Elizabeth Ashley Hardee stated she would like to thank the Board for its service; she knows it is difficult to do what the Board does; she thinks everyone can agree that for someone to be in this room it is because he or she loves Brevard County; displaying a photo, she stated this is what she cares about and why she is in attendance; it is what she wants to protect; there are other places in the United States of America, in Savannah, Georgia, on Victory Drive, and Lombard Street in San Francisco; she realizes the Board does not think this is a historic street, it does not have much quality; but look around Brevard County, people come to Rockledge



Drive because it is beautiful and scenic; and if the County continued cutting and not thinking things through, the County is going to lose this and continue to lose these beautiful trees that were documented back in the 1800s, and that is why she is there. She continued by saying when she bought her house, she had more people tell her to tear it down, and if she had a dollar for every single person who told her to tear it down, she would be a wealthy woman right now; is it hard to uphold an historic building, absolutely; is it expensive, absolutely; is it a pain, yes it is; it is difficult when one lives in a unique area, it is, but one has to look for creative options; and that is what she is asking for as a resident, is creative options, to remember where this is. She mentioned if one has to look, to look no further than Tallahassee, Florida, where she had the privilege of living and going to school; they have a lot of canopy streets and this is not an issue; everybody is on the same page and they want it to look spectacular; that is why she is in attendance; she thanked the Board for its time; and she hopes the Board will put a lot of time into this. She mentioned for the Board to think about the years; if one cannot get down the street, then do not go down it; it is like Lombard Street, they cannot bring a certain size school bus down Lombard Street in San Francisco; this is not the first group, she would ask that they reach out to Tallahassee because they deal with this, and Savannah, or Charleston, South Carolina; and she noted this is not the first one in the United States.

Kirk Rummelhoff stated he would like to thank the Commission for providing him the opportunity to speak in support of the Rockledge Drive Tree Coalition; he is there to present for the record the 9,052 petition signatures gathered by the tree coalition in support of the effort to prevent the cutting of the Live Oaks on Rockledge Drive; he will leave the document for the Board to review; and he advised this document is the record of the 9,052 of the Board's constituents that do not agree with or support the Commissioners' decision to cut the Live Oaks on Rockledge Drive.

Commissioner Goodson mentioned there are 240 houses: he asked how he had 9,000; he noted he has reviewed that and some of them are out of Japan and Washington; and he asked if they are this Board's constituents.

Mr. Rummelhoff stated he cannot answer that question.

Sandra Sullivan stated at least there are no hot mics tonight; Rockledge Drive is the oldest road in Brevard County and it is beautiful; she thinks a lot of this issue is created because trust has been taken away for the people who live on that Drive; in 2021, she was helping the tree coalition with this issue; they were being told the County was repaving the road and they needed to trim the trees to repave the road; she cannot say how many misrepresentations have been told, but boy were they shocked when she got online and came across a GIS map that this road was actually slated for sewer; nobody told the people on that road that that was the real agenda; this Commission misled the people on that road; that is the crux of why trust has been taken away; with this tree trimming and the major trimming, it is that going to kill trees; it is because of the trust with these people has been taken away; these people care about the Lagoon, many of whom have put in advanced septic already, and their houses are set back far enough away from the Lagoon, more than 500 feet, so less impact; those trees will uptake nutrient loading; but the most important reason to keep those trees is that this road was identified by National Oceanic and Atmospheric Administration (NOAA) as having increased flooding from the IRL in storm events for resiliency. She went on to say when the County has a storm event, it is just basic science, the roots hold the bank and stop the road from washing out; the Board must look at the totality of the situation and look at what is in the best interest of that road, when looking at the science, the best thing is advanced septic on that road and not putting in sewer; and for the sewer project, they would be looking at 67 trees being cut down. She noted this is about the quality of life for those people on that road; this situation and much

backlash on this issue was created by misrepresentation by this County, to the people living on that road that these 67 trees were being cut for a paving project, which they were not; and the Board does not have to buy the machines to do the paving, it can just lease them. She thanked the Board for its time and stated hopefully it makes the right decision by the voters who voted for the Save Our Indian River Lagoon (SOIRL) tax; and she commented this Board is not listening to the voters.

Matthew Nylen stated he rides his bicycle up and down Rockledge Drive; and he wants to call to the Board's attention its own Chapter 62, Article 13, Division 2, Landscaping, Clearing, and Tree Protection, 62-4331, Purpose and Intent, the Brevard County Board of County Commissioners finds the health, safety, and welfare of its citizens can best be protected by Land Development Regulations that encourage the protection of heritage or specimen trees by supporting and enforcing the following community goals: promote the establishment, management, and conservation of native vegetative communities; promote visual and aesthetic buffers between land uses; encourage the protection of heritage or specimen trees; promote water conservation and aquifer recharge; encourage creative landscape designs; protect life and property by appropriately planting trees and vegetation; preserve and enhance property values; control soil erosion; mitigate heat, air, and water pollution; and provide regulations that are user friendly, flexible, and minimize conflicts with other land development regulations, while protecting property rights. He continued by saying he had read that and thought this was a clear statement of intent of preserving places like Rockledge Drive; in further, it states that this purpose supports the Comprehensive Plan policies; as the Board knows this is a very sensitive environmental area; it is right on the IRL and a part of the Lagoon that is probably the most polluted and in the worst condition of any part of the Lagoon; the water quality there is very bad; and he used to fish the Lagoon, he does not do that any longer because people cannot catch anything now. He stated conservation element objective three and coastal element policy 2.3(a) improve water quality by reducing excess nutrient and pollutant loading into water bodies surface water and groundwater by uptake through roots; conservation element objective 4, reduce flooding by stormwater runoff, uptake through roots, and therefore, increasing flood storage capacity; and conservation element 7.1 reduce, prevent erosion and sediment runoff into surface water bodies by stabilizing soils and dunes. He noted this is just reading the Board's own Code to remind it that it thought it was important to protect places like this; he thinks it is very important to protect places like this; and he hopes the Board will protect his beautiful neighborhood and the beautiful trees that live there.

Sarah Hodge stated she has lived in Brevard County all of her life; those trees are special to everyone that goes on the drive, from other countries and states, they love that road; it is an asset to this County; everyone that lives near there, that road is their treasure; her and her husband are opposed to the tree trimming or the planned sewer plant because she does believe that the advanced septic tanks will be better than a sewer system at that place; and she thinks she will have to do some research to find proof but the trees are more important for the flooding and filtering of the stormwater. She commented those trees need to be on that road; and she supports every comment that is going to be said tonight in opposition of trimming those trees.

Carol Pope stated she lives on Rockledge Drive; she first wants to thank staff for the informational report, it was very informative and answers a lot of questions that people had; it also documents that the County Commission is not required to maintain a 14-foot vertical clearance on South Rockledge Drive; there are no Federal regulations that require the Board to adopt a 14-foot vertical clearance on a local residential low volume road; Section 8669 was voluntarily adopted by the County to use the State Greenbook as a guideline; there are no State regulations requiring compliance with that; this is a local regulation controlled by the

Board and it has the authority to make exceptions to its own Ordinance; in fact, it is making exceptions; on page 3 of exhibit A in the package shows the Board is making exception for horizontal requirements on this same road, right now; and if it can make exceptions for horizontal clearance, it can do the same with vertical clearance. She continued by saying as shown in the accident report, which is attachment G, there were more accidents involving mail boxes, walls, rocks, and posts than there were with tree limbs; it has been mentioned many times that accidents involving tree limbs can be eliminated with proper signs; the report verifies that signs are working; there were only four accidents with trucks hitting tree limbs and all between 2017 and 2019; the low clearance signs went up in 2021; and there have not been any accidents involving tree limbs since. She stated signage has been working in other areas as well; she has a picture of Riverside Drive in Ormond Beach on a similar road, that shows a sign of clearance of nine feet for their trees, therefore, it does work in other areas, and people are using it; also the Florida Fire Prevention Code allows lower clearances than 14 feet with proper signage, it is in the Florida Fire Code; the Board has listed Rockledge Drive in the Comprehensive Plan, Chapter 9, Transportation Element, as a scenic highway which state's vegetation and trees growing within the right-of-way of those roads, shall be protected by development regulations; and the County's own Comprehensive Plan gives justification to make exception to the 14-foot vertical clearance and save the canopy. She went on to say this is two and one-half miles of low volume, 25 miles per hour, residential historical scenic road with an extremely low accident record; 26 accidents in 10 years; and those 26 accidents were from 2014 to 2023. She stated will it be the legacy of the Board that this historical asset will be destroyed or will it be enjoyed for the next 100 hundred years, as well.

Steve Kennedy stated he has also lived along Rockledge Drive for over 30 years and has seen a lot of changes; he acknowledged support staff; as a resident having driven up and down, he only has one way into his home and that is Rockledge Drive, he has seen those trees grow out of maintenance; they are beautiful trees, it is a beautiful route, and it is what attracted him to buy on the south end of Rockledge Drive; but when safety is the concern, when a nine foot clearance with a fire truck with only one way in, it is not going to work, and the Board knows that; if his vehicle is damaged, who does he go after, who does he sue, and who pays for the damage to his vehicle when he cannot pass through the road; he does not know how often a 14-foot, which seems reasonable, would be maintained, whether that includes branches as well as limbs; he has not received a copy of the report, he is going to go find one; and he sees a lot of talking past each other, but there is common ground. He mentioned for him a 14-foot clearance is not that big of an ask, particularly when there is safety involved, and there is still the beautifulness of the Oaks trees; he knows in his situation if his neighbor has a tree that was damaged and leaning over his house, he would be out there with a chainsaw; and he has every right to protect his property.

Grover Gregory he saw that Commissioner Pritchett was concerned about life, about people losing their lives on the beach; it happens to be in America a lot of people lose their lives from vehicle collisions, not being in the car, those people are well protected in the car, where they are not protected is when they are walking their dogs, on their bicycles or walking down the road; he happens to have a home office and he looks out on Rockledge Drive all day; he would estimate, and he has not seen anyone do a traffic report, but there are probably 10 pedestrians/cyclists for every car; and all he has heard discussed tonight is the safety of some metal. He noted he does not hear anybody talking about the safety of the people who are walking on that road; that is why people love that road; it is beautiful; if one gets under a hammock in the environment, one is protected from the sun, it is cooler there, and on Rockledge Drive there is the unique situation with the sea breeze; when one walks down Rockledge Drive on a hot day in July, it is a good 15 degrees cooler because of that canopy; he is very concerned that nobody is talking about the people who use Rockledge Drive on their

feet and on bicycles; it seems to him that this Board has its priorities wrong; if the Board makes that road amenable and comfortable for big vehicles, then it will get more large vehicles driving down there; and when big vehicles hit people, people die. He went on to say he is also concerned about the misleading terms that he hears; maybe it is technical jargon when they say trim a tree, but when the entire trunk is lopped off, he cannot understand why the Board thinks that it can call that trimming a tree; it is not trimming that tree, it is cutting it off and killing the tree; and that is what is contemplated. He asked the Commissioners to look up, and explained he thinks that is about a 14 foot ceiling; does this Board really think this community needs trucks driving down the road that are that tall; and it just blows his mind, he does not want to see those kinds of vehicles on that road.

Chair Steele stated perhaps one might want to think about if their house was on fire, if a fire truck could get down that road.

Shouting from the audience saying it does and it can.

Chair Steele mentioned it depends on how large the fire truck is.

Walter Cornell stated he is in River Ridge on Rockledge Drive; he has been there like a lot of the people have mentioned, for eons; he was going to speak about the lack of answers that these people have been asking now for over two years on this same subject; he just got a thorough set of questions and rehearsed answers apparently about what the people have been asking about which really comes down to why; he has heard everything; and the report that was submitted to Mr. Goodson was as comprehensive as he has ever heard, and he has been involved in this in two years. He thanked Commissioner Goodson for his thoroughness and his questions; he mentioned up until now it feels like the community has been forestalled; he would like to tell a story that remind him of this, that there were not good answers coming from staff or coming from the Commission because everyone would look at each other and ask a question; if anyone has raised teenagers, they will appreciate this story; his mother raised three boys and as soon as they had hit 16 years old, on a Friday night they would cruise by her as she sat; she would ask natural motherly questions, such as where were they going, things like that, that mothers would be involved with; she knew she was not going to get an answer so she answered herself and that was the whole dialogue; he wants to ask questions and he will answer them himself; some of these types of questions and the answers were addressed comprehensively, but the residents of the County and the visitors to that drive, have not had that opportunity to understand that; and they were very well prepared and he sensed, rehearsed with the answers. He noted but if the people worry about safety and they want to move the needle on this, as Grover mentioned, 10:1 traffic versus cyclists and walk that drive; and those trees and those limitations are slowing traffic down.

The Board adjourned at 7:38 P.M. and reconvened at 7:42 P.M.

## **I.2. Speak Up Brevard 2024 - Citizen Efficiency and Effectiveness Recommendation (CEER) Submissions**

Frank Abbate, County Manager, stated this is about Speak Up Brevard 2024 Citizen Efficiency and Effective Recommendations (CEER) that the County received; under Brevard County Charter Section 2.9.10, and Brevard County Policy BCC-95, there is a process that is provided for citizens as individuals or as an organized group of individuals to submit a formal recommendation for the enhancement of effectiveness and efficiency of Brevard County Government; during the most recent submission period, Brevard County received 59 Speak Up Brevard recommendations; those recommendations and back up documents, both attachments and links as provided by the citizen submitters and the departmental responses have been

provided as part of this Agenda Item; staff has spent a significant amount of time to review, consider, and respond to each recommendation submitted; and as the Board knows, draft responses were prepared by staff and provided to each Commission office for their individual information, review, and input. He noted recently those draft responses were finalized and are presented tonight for the Board's consideration; staff is requesting that the Board approve the staff recommendations in a single motion for all the citizen recommendations; of course, the Board can pull any of the 59 items from the staff recommendations that it would like to discuss and/or take alternative action on for any of the 59 Speak Up Brevard recommendations that were received; each responding department that prepared these staff responses are available to address any questions or concerns that the Board might have.

Sandra Sullivan stated she is not going to speak to any of the 14 Items that she submitted; she is probably the citizen in Brevard that most comes to these meetings other than the Board itself and staff; she digs into issues and she thinks she is very well known for that; her background is as a systems analyst; when she was in the computer software industry, one of the products that she was involved in was called collaborative software, so she is very involved in the collaborative process; what is in this process is not a collaborative process, what they have here is a lack of communication on what the staff reports were until pretty much when the Agenda came out, not a lot of time to go over that; and to speak in general, in coming to this County Commission for over five years, this is the sixth year, she has not seen in that time frame a Commission like this one that, from her perspective and her experience, it does not value citizen input. She stated she would like to point out, as an example of that and what she thinks is the epitome of the problem and how Speak Up Brevard was addressed, illustrates that, look at the Merritt Island Incorporation, a vote taken under Public Comment in violation of State Statute 286.0114 for public meetings, a vote taken without public input; then when the vote was taken and hundreds of people came in before they even got to speak a vote was taken to accept that study; there is a greater issue here as part of Speak Up Brevard in providing input to the Board on ideas; maybe the idea in its original form is not perfect, but had the Board sat down to a workshop and actually had a discussion, it may have arrived at a very ideal solution because problems generally are not solved by one person; they are solved by bringing brain shares together and bringing experiences together for better solutions on what Brevard is facing; she thinks there are some very good ideas in there; and it is such a shame that it is just a wasted process because this Commission does not value the public feedback. She noted that is her experience and it is very discouraging; she has a Commissioner who will not speak to her or meet with her since last August; it is very difficult to speak to his staff, or in fact, any of the Board; by the Charter, her only recourse to really communicate to the Board is via Speak Up Brevard; this Board just showed how much it values public comment; not one of her items, even discussed with her, no comment, no staff reaching out to her for clarification or anything, and no communication; and it does not value public input.

Kevin Shropshire stated he is grateful for this opportunity to speak in front of it today; he is a working parent, resident of Port St. John and he appreciates all of the previous direct responses from his District Commissioner on assorted topics as they have come up; they have worked together on several items; this was just an item that came up last year when he was attempting to assist one of his children with a science fair project; he is old enough to appreciate the library system that he had growing up and the availability of libraries, as he knows people look to their screens to solve most of their problems these days; and when he went to the local Port St. John Library, he was faced with closed doors and the hours of Monday 9-5, Tuesday 9-5, Wednesday 12-8, Thursday 9-5, Friday 9-5, and Saturday 10-2. He mentioned he does not arrive home from his employment until 4:30-ish if he is lucky with the traffic; he can only ever attempt to do any library work with his children on Wednesday evenings; he looked around and saw other counties have other things and other opportunities,

so he used Speak Up Brevard to put in the recommendation of different times, a few hours on Sunday, which he does realize would cost money, but the rest of the week, shifting the hours, instead of 9 am to 5 pm, how about 11 am to 7 pm; Port St. John, without knowing the exact demographics, he can healthily say, is a working community of families who all have children involved in science fairs; and some of them would like their children to be able to experience the library systems the way they had without relying 100 percent on screens. He stated when he submitted this the response was that the City of Cocoa has a library, 9.2 miles away, and the City of Titusville has one 9.7 miles away; basically he was told to go elsewhere; he understands asking for more hours on Sunday, when the County does not have money is not acceptable, but he would like to point out that Orange County, the majority of their public libraries are open 10 am to 7 pm during the week; Volusia County 9 am to 7 pm; Osceola County, the few they have are 9 am to 9 pm during the week; and he mentioned he is just looking for further consideration, as opposed to just rejecting the recommendation, to accept the change of hours without costing any money to the County.

Kevin Jeffrey stated he would like to read a portion of the Constitution; he read, "We hold these truths to be self-evident that all men are created equal. That they are endowed by their creator with certain unalienable rights, among them are life, liberty, and the pursuit of happiness, that to secure these rights governments are instituted among men deriving their just power from the consent of the governed."; he does not know but somewhere along the line, politics have gone awry across the country; this Board is representative, the people are the government according to the Constitution; this Board is here to represent them; and he was looking through Speak Up Brevard, and it is a great thing that the Board listens to the citizens, but there should be more corroboration with the citizens. He mentioned he knows some of the Board members, or their lawyers, he would have gone for this one, excessive TV lawyers ads, who wants to hear that over and over again; look at the issues of being able to having to pay \$35 to be able to get information out of the Speak Up Brevard recommendations; he asked why the citizens are being charged for that; why is it that there is no strategic plan for Brevard County, which is consistent in some other counties; and he commented if the County is really going to work together with the public and keep down a lot of strife, he really thinks listening to the people really matters, the Board is representing them, they are the government. He noted the people may have forgotten it; the Board is the representative; too much in politics, the politicians have elevated themselves to a level above the people and really he does not know if that is the case, but it comes across as arrogant, condescending, brash, and indifferent, as long as that is the case; and here is an opportunity right here with this Speak Up Brevard, to really reach out and show the citizens that the Board really wants to hear what they have to say, not just checking off something that has to be done, but the opportunity to be able to collaborate with the Board in real issues to get things done.

Susan Connolly stated she is very happy about Speak Up Brevard when she heard about it and that she could participate in it; it really made her think and she appreciates that opportunity; she would like to comment on a few that she had submitted; one was on the Moore Memorial Park, she visited there and it changed her life; it is under Parks and Recreation, but it is more than just a park, it is a memorial to the Moore's who were activists in their community making Brevard County a better place; it has a universal theme about voting; she can see the benefit by getting the message out, what the Moore's wanted, with tourists increasing the dollars from tourists, new homeowners, people from out of state that are coming in, 10,000 per day; and this is a place that has something for everybody. She continued by saying the other one that she wanted to comment on was about uniform Countywide development practices; she is from Palm Bay, but the discussions she is hearing tonight, trees, sewers, infrastructure not being ready for development, it is all the same, the low impact development methods and how to do those; she thinks the County could benefit with people and policy coming together; citizens

have a lot of answers and a lot of ideas; she thinks what would work here is coming up with some best practices that work for everyone; another big issue is the roads, people do not just drive in Palm Bay, they drive all over the County; that is another thing that could be addressed with a uniform set of practices; and another one would be the prosperity initiative. She mentioned this is something from the Florida Chamber of Commerce that is helping to promote prosperity in the community; the Greater Chamber of Commerce is leading this within the community to help increase prosperity by dealing with poverty, which is the number one barrier to a prosperous community; and when all prosper is when there is true prosperity. She expressed her appreciation to the Board for allowing her the opportunity to speak up, listen, and to honor her with what she has to say.

Kristin Lortie stated she decided, despite that fact that she cares greatly about this program and she would like for it to be a relevant program, she did not prepare comments in advance because the conditions are not right to have relevant comments; there is about to be a rubber stamp vote that will happen; her request for speaker time for speakers who had additional recommendations was promptly denied, the fastest response she has ever received from a Commissioner; she herself submitted nine proposals to the Commission and of those three had the appearance of being adopted and by staff; this was meant to be an exercise that happened between the people and the Commissioner; staff can be a part of it helping to get the recommendations together but the Board is supposed to have a discussion, pull some ideas out, and talk about it; and along her journey because she is geeky and researches this stuff, someone in Brevard Cares found the meeting minutes from 2011, right after this was put on to the Charter, and what they had found was that in this season there was supposed to be a 60-day period where there would be a discussion between the Commissioners and the citizens, and the idea of a workshop, which Ms. Sullivan introduced to them. She mentioned this was supposed to be a collaborative process, but instead there is a rubber stamp process; and none-the-less it is still a process. She continued by saying how she feels about the process is the residents do not feel heard; they were out rallying prior to the meeting, those who were motivated to do it; 83 percent of the recommendations were already recommended to be denied before they even walked in the room; she denounces that; she thinks this should be a robust process; nonetheless there is a requirement that the Board provide some feedback in writing which is relevant to the residents; and there is two she would like to mention since there is only time to mention, is one that is reportedly accepted with recommendations, she opposes because she had to read through it several times to get the staff response, and it was about her recommendation 003, to actually publicize the event and which staff did not agree to publicize the event, staff agreed to put the event dates up on the website which might help de-confuse a few people that it is only available for public to input from December 1 to now January 1. She noted that was not adopted; just placing the dates on the website is hardly a win; that is on the trivial side because she provided several recommendations that would really help to turn this program into a real thing, something people could input into; the other one she wants to mention with her 10 seconds is that she put in a recommendation that Brevard County needs a five-year strategic plan to which staff said they have plenty of plans and they are already good to go; she opposes that; and now her time is done and she is not happy about that.

Lewis Kontnik stated he is representing the Indian River Lagoon (IRL) roundtable and the IRL Coalition; he wants to thank the Board and the staff for accepting their Speak Up Brevard recommendation and urging that it be part of the Brevard Comprehensive Planning Process; he thinks it makes a lot of sense; he would like to encourage the Board to go further and faster; Chapter 12 of the intergovernmental coordination part of the Comprehensive Plan calls for very much of what they were asking for, which is a planning process that can move forward the community, both in growth of space of good fortune, and also retaining the quality of life; and

so they would ask the Board to go ahead and move forward with that. He mentioned specific points include Policy 1.14, that says that Brevard County shall take steps necessary to coordinate with Space Florida and other promotional efforts concerning the development of Space Commerce; other policies that it calls for is coordination on coastal management, wetlands, sewer service, portable water, land transportation and additionally it calls for coordination with the Port; and based on discussions with Space Florida, it appears that there is a real opportunity to move this forward cooperatively. He noted Space Florida has begun their environmental master plan that includes virtually all of the projects that are being done up there and in the future; the problem is that their analysis is limited just to environmental issues and not the other issues that as Comprehensive Plan calls for including; the other things is Space Florida has just completed its maritime intermodal study in which there is supposed to be coordination with the Board and the Port; he would urge the County to move swiftly to begin a comprehensive planning engagement with Space Florida; and the IRL roundtable and the IRL Coalition would be delighted to help and support in any way it can. He commented there needs to be a balance between space development and the quality of life.

Michael Myjak stated like Lew, he is in attendance representing the IRL roundtable; he wanted to take what Mr. Kontnik said and raise it up a level because staff was recommending that theirs go forward; they must be one of the 17 percent; it is best addressed through the Comprehensive Plan Process; that would be fine but the Board has nothing to say about the planning at Kennedy Space Center (KSC) and it does not have anything to say about the planning at Cape Canaveral Space Force Station, and it does not have anything to say about the planning that Space Florida does; the problem is this, National Aeronautics and Space Administration (NASA) says they have already done their design, they have some 8,000 acres to develop out there, and they have figured out what is buildable; the national north IRL Estuary and the Merritt Island National Wildlife Refuge and Cape Canaveral Wildlife or National Seashore compromise of the largest undeveloped zone on the east coast of Florida; one can see it in the night when looking at the light vision, there is a big black spot right there where KSC is; while they have identified 8,400, the national Estuary, the Wildlife Refuge, the Seashore, and numerous archaeological sites are all in jeopardy out there; and keep in mind NASA has no planning and zoning board, neither does Space Florida. He went on to say Titusville gave up their ability to review planning out there last year; what they were trying to propose was not just what Brevard County can do to try to coordinate the shipping industry and the Federal Aviation Administration (FAA) and space flight because when Cape Canaveral is turned into a Spaceport it is going to be a different place than what it has been; it will no longer be talking about national security and space flight it will be talking about commercial and that is going to roll in like a tidal wave; think about what happened to Detroit when looking at it from 1900, by 1920 it is a different place; and that is what this County is looking at over the next 20 years. He noted there is nobody talking about how the County is going to grow a port that does nothing but put out cruise terminals; he asked how they are going to bring in the rockets that are being re-used, where those are going to land, and who is going to store those; when Glen starts going up it is not just SpaceX; and he mentioned he is out of time but he would appreciate the Board thinking about this at a higher level.

Teresa Imperiale-Westerfield stated she wanted to talk a little bit about the proposed traffic light at the corner of Pineda Causeway and Peninsula Circle; that was part of the CEER recommendations and it was denied; she would like to bring up some points that the Board might want to consider regarding the study that was done that brought the decision for this to be denied on her community; the traffic study that was done by the company that was hired, ended actually, ranged from 2018 to 2022; three years of that study were during COVID when there was very little traffic on the Pineda Causeway; she could leave to go to work at any time of the day or night and she barely had to look to make a right hand turn onto that causeway;



now she takes her life into her hands between the hours of 7:00 a.m. and 9:00 a.m. to try to make a right because one cannot make a left out of Peninsula Circle or Fringetree Drive; and this study, most of it was looked at during the years before Pineda Causeway was linked up with Lake Andrew, that occurred in 2021. She continued by saying a good majority of the data that was used for this study is no longer applicable; since that time, numerous communities have opened up on the west side of I-95; even at the time of the studies that were done, one could see that every year there was an increase in the number of accidents on that causeway, between I-95 and Wickham Drive; the traffic gets so congested that she has had days when she is trying to go to work, that if she gets to make her right hand turn to go towards US1 because somebody has taken mercy on her and decided to let her out of her neighborhood; they need a traffic light, it is dangerous; there are constantly car accidents; and when it is not rush hour, there is a 45-mile per hour speed limit that is never enforced, and she can say that for a fact. She commented it is used as a raceway between the light at Estuary, Pineda Causeway, and Wickham; there is a two-mile stretch that people decide they need to floor it; there is a traffic light at the corner of Ichobod and Stadium, right down the street from here, and it is in one lane, where they have two lanes; and she would urge the Board to reconsider.

Sarah Hodge stated she has three things to talk about; there have been problems with getting public records and she does not know if there is not enough staff time or whatever and the cost, \$34.50 for an hour monitoring a binder that has other copies when the County could just have a video camera over that and there would not be a need for a staff person there; the Clerk of Court put all their records on the internet several years ago; and she inquired why the County cannot do the same. She noted the next is Per and Polyfluoroalkyl Substances (PFAS); she knows that Board has probably heard about it; Merritt Island is infested with it; the fire foam from 1998, the fire got out of control, they sprayed, and went into North Merritt Island off the Space Center; there are 40 people with a class action lawsuit right now, from death, cancer, auto immune systems, and many other diseases; there is a lawyer in three states; the Board has seen the PFAS and it knows it, yet it is still allowing development; she inquired why the Board would allow that on PFAS property; and she stated she has been told there is a rule that it must be told to the buyers before and it is to be placed on the deed.

Chair Steel asked if this was a recommendation she put in for Speak Up Brevard.

Ms. Hodge mentioned she is speaking up with issues she has on Brevard.

Chair Steel told Ms. Hodge she should be speaking under Public Comment, but to go ahead and continue.

Ms. Hodge noted it is a Brevard issue; she does not understand why people are having such a hard time getting records, there is no reason for that; and there are a lot of issues, but she will stop with that.

Chair Steele mentioned the Board sincerely appreciates her comments.

Ms. Hodge commented there are a lot of people dying because of PFAS; it is on news programs; it is highly documented everywhere; it is going into the rivers; and that is causing problems.

Robert Burns stated this comment is moreso for the public than for the Board; he just felt compelled to say this based off some of the earlier comments that he heard; as somebody who communicates with this body semi-frequently, he personally looks at public comment as a time for the public to hear what he has to say, not necessarily for the Commission to hear what he

has to say; if he comes up for public comment to try to influence the Board or effectuate some sort of change he is already placing himself with some sort of handicap of just having three minutes to get out everything he wants to say; and he cannot have a dialogue back and forth like he would want to. He mentioned he would just offer his opinion and his personal experience with communicating with this body is to do so beforehand through an email or through a conversation because it does not give people those limits and those constraints as it does coming up there at the last minute; there is always an opportunity to do that whether people feel like there was something that one did not know was on the Agenda or something one might think of while sitting there; while sitting there tonight talking about lifeguards he emailed every Board member a proposal about the lifeguard situation and there would be no way he could come up there and say it within three minutes; it is a pretty comprehensive proposal; and he does not need to have feedback all the time. He commented that his wife complains that he does not listen to her because he does not always respond, but he hears her; if she can deal with him not responding, then he can definitely deal with the Board members not responding to him, but at least he knows the Board heard him and he is not placing those limits on himself with three minutes; if he goes back and reads his email and realizes he screwed up or something, at least he can correct it; he thinks relationships are important; and he thinks as a member of the public, if one wants to effectuate change, be heard, and have their opinions acted upon, then one has to continue to build those relationships and try to communicate a little bit more effectively and maybe compassionately. He commented people do not have to, but if they do not like the responses they are getting, then they can voice their opinion at the ballot box; he just wanted to offer some advice; and whether one takes it or not to the public, on how to communicate a little bit more effectively.

Commissioner Tobia stated he was listening and Ms. Lortie said she disagreed with her recommendation being accepted with revisions, 2024-003; his motion will reflect that; he moved to accept the staff recommendations for all the citizen recommendations with the exception of 2024-003; and reject that one outright.

Commissioner Pritchett stated she agrees with what Mr. Shopshire mentioned so she is going to ask for a friendly amendment to go ahead and open up on Sundays and increase the Saturdays hours for a total of nine extra hours per week; she would like to see where that goes before working on the weekdays; she thinks libraries are very important to families and the kids; she appreciates his input; and it definitely made a difference with her tonight on his request. She asked if Commissioner Tobia would be willing to make a friendly amendment on his motion to go ahead and add in five hours on Sunday and an extra four hours on Saturday for the Port St. John library.

Chair Steele asked if Commissioner Tobia is willing to accept the friendly amendment.

Commissioner Tobia stated he was looking at the CEER recommendation which was like \$96,000, but that was for all the hours; and he is trying to do the math to figure out.

Commissioner Pritchett mentioned it is nine hours just for Port St. John, so it is just nine extra hours per week.

Commissioner Tobia asked what percentage of the total is that, half, one-quarter.

Commissioner Pritchett advised she does not know, but just Port St. John; she does not know if the data they gave was for all of the libraries, but all of the libraries do have different hours so she thinks this might be appropriate; and there are a lot of kids in that area.

Mr. Abbate advised it is probably less than 25 percent, and should be approximately \$25,000.

Commissioner Tobia thanked Mr. Abbate for that information and accepted the friendly amendment.

The Board reviewed each citizen recommendation submitted through Speak Up Brevard – CEER; and approved to accept, to accept with modification, or to reject recommendation as required under the Brevard County Charter as follows:

- CEER #2024002, Port St. John Public Library limited hours – accepted with modification to add four hours to Saturdays and five hours on Sunday, and continue to evaluate regarding the weekday hours.
- CEER #2024003, Publicize the Speak Up Brevard event to Brevard residents – rejected.
- CEER #2024008, Property-owner fraud alert – accepted with revisions to recommend that concerned citizens attend Clerk of Court-sponsored property fraud presentations held throughout the year.
- CEER #2024018, Resort dwelling registration process – accepted the recommendation with revisions as detailed in the staff analysis.
- CEER #2024030, Help residents get healthy, post local pickleball opportunities – accepted the recommendation and staff implemented the suggestion.
- CEER #2024033, Pineda Causeway and Wickham Road safety – accepted the recommendation to extend the turn lanes at the intersection of Wickham Road and Pineda Causeway, as the engineering design for this project is already in progress.
- CEER #2024049, Premature closing of Speak Up Brevard website for citizen suggestions – accepted the recommendation with revisions as outlined in the staff analysis.
- CEER #2024050, Brevard County creating three W’s Resiliency Campaign 2024 – accepted the recommendation with revisions, as some programs are already underway and program expansions are currently being developed.
- CEER #2024055, Promote more uniform, County-wide development practices – accepted the recommendation with revisions as detailed in the staff analysis.
- CEER #2024057, Increase promotion of Moore Memorial Park for multi-stream revenues – accepted the recommendation.
- CEER #2024059, Building Brevard’s unique Space future with quality of life – accepted the recommendation with revisions as detailed in the staff analysis.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Rita Pritchett

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

### I.3. Grant Requirements Pertaining to Background Screening Procedures and

## Disqualification of Sexual Predators and Sexual Offenders

Commissioner Tobia mentioned he previously brought this Item to the Board's attention on February 20; this small but important change would require that recipients of County issued grants be required to self-certify, having the appropriate background screening procedures in place; the examples of grants include, but are not limited to, marketing grants, such as cultural, sports, and major event grants, capital facility grants, and Save Our Indian River Lagoon (SOIRL) grants; this is just for at-risk populations; this would not apply to pass through grants from Federal or State governments; the way this requirement is written would put a burden on the grantee and staff would not need to act proactively; and the motion after discussion would be to direct staff to add the requirement that recipients of County grants be required to certify having appropriate background screening procedures in place for any employee, contractor, or volunteer expected to have unsupervised access or direct contact with an at-risk individual.

The Board directed staff to add a requirement that recipients of County grants be required to certify having appropriate background screening procedures in place for an employee, contractor, or volunteer expected to have unsupervised access to or direct substantial contact with at-risk individuals.

**Result:** APPROVED

**Mover:** John Tobia

**Seconded:** Rita Pritchett

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

## K. PUBLIC COMMENTS

Sandra Sullivan stated she has a topic she is very passionate about tonight; this is what she calls "Agenda 2030, you will own nothing and be happy law" which is SB102; there is good news because a lot of people have been advocating to this State and in fact she thinks two of the State representatives worked on this out of Brevard and one co-sponsored it, a bill HB7073; what this allows Brevard to do and which is going to be very important for the budget, if the Board chooses to adopt this, is to opt out of the tax exemptions for affordable housing; she asked why would the Board want to do that, what is great for affordable and low-income housing is tax exemptions, a small part of the market; she stated middle America is the biggest part of the market, so their tax exemptions are middle class' actual tax increases; and the middle class is going to see tax increases because ultimately for these high-rise developments somebody has got to pay for the lease, fire, and all the other services that the County has to pay for, and inevitably that means tax increases for the middle class. She noted the middle class is now facing skyrocketing insurance rates on not just property taxes, but automobile, and flood insurance; in addition, check out the prices in the grocery store; \$7 for a box of cereal; she has three teens, six foot five, six foot three, they are eating her out of house and home; the middle class is really feeling the squeeze; the American dream is to own a home and raise a family; what is happening with this SB102, their tax exemptions are the actual middle class' tax increases that are coming; people are going to lose the American dream of owning their own homes and having a family; and people are going to see other people having to sell their homes because they cannot afford the new escrow, the higher mortgage payments, and people are not going to be able to afford it. She stated she is asking this Board, this is something she is very passionate about, people need to save America, save Florida; people need to put America first and that means to protect the American dream; she asked the Board to either put a resolution or ordinance forward; and to opt out of the 30 years of automatic tax exemptions, and save the middle class.

Reverend Haywood Davidson Jr. stated he is the pastor of Greater Mount Olive AME Church in

Merritt Island; he is a member of BRITE Affordable Housing Committee; in 2020 BRITE was started by a local congregation to help people build the power necessary to impact policy in the community; today they have grown to more than 10 churches; though their members vary in theology, race, political parties, and social economic status they are united by a biblical call to justice; they will work on the issues that impact their members; and since they have been founded, they have heard many stories about the risk of affordable housing than any other issue. He mentioned in his local church, members there are married and have been working two jobs and have issues with affordable housing; they are now about to be kicked out of their house where they also have their grandchildren; now they are all going to be forced out onto the street; there are more than 3,000 families that are paying more than half their income on rent; community churches do a great deal of service and ministry to the homeless and the very poor; some of the churches have even built their own affordable housing, but charity is not enough to address this significant economic issue; yet the solution to this problem, there are housing trust funds all over the United States, in over 500 cities, and 171 countries creating a financial incentive to build affordable housing; fortunately this County has set up a workforce that supported housing and trust funds with the support of the voters of Brevard County; but the problem is there are still no significant funding after two years. He noted housing trust funds using dozens of revenue streaming networks, and they are asking the Commissioners to come to the table and find a winnable revenue stream for the local trust fund; and each of the Board members should have received an invitation to the action assembly on April 15 at 7:00 p.m. at Suntree United Methodist Church where they are asking the Board to make a public commitment to work on this issue and to fulfill the voters' wishes for a fully-funded trust fund.

Kevin Jeffrey stated this was his first foray into the Commission meeting; he hates to belittle the point but he wants to raise it again; his son worked as a Certified Nursing Assistant (CNA) at a nursing home; one of the things that he noticed is the people whose family visited, were well taken care of; the people who did not get family visits were not well taken care of; this Board has a public trust to take care of the citizens of this County; it used to be that they were called public servants; and if one looks at the Greek, there are several words that talk about servants, but all of them talk about the fact that they are slaves for the people. He mentioned he wishes someone would take the money out of politics and remove the incentive of anyone who is not there to care for the people; once someone loses their care for the people, he would suggest that person resign; he knows it is hard to sit here in this meeting, it was hard for him, but back in the Lincoln Douglas debates, they sat for over hours; the opening statement by each person in the debate was an hour; there was a care by the people and for the politicians as to what was going on; and the moment someone loses that, people do not like it when they go to a restaurant and the people are unconcerned about them, and he asked if the Board has been there. He stated no one likes it when anyone is unconcerned about them; he worked years at FedEx and people put up with a lot, but the thing they would never tolerate is unconcern for what their desires were; that is what is enraging the people; and he is going to tell the Board there is a storm coming, the people are getting tired all over this country, they are tired of politicians who are unconcerned about them. He continued by saying it is not even a lot of the issues, it is the unconcern about what they are going through; a lot of that can be averted if there were politicians that were concerned about the people; this issue with Speak Up Brevard is an example of it; he understands what Chair Steele said, and yes maybe some of those things were illegal; but talk to the people about them, because the people do not know what is going on; the people do not that those things were illegal or whatever the problem was; and he reiterated if there are politicians anywhere unconcerned about the citizens, they should resign right now and go do something else. He noted people do not want someone in office, or in a hospital, or who are working around people who are unconcerned about people; and that is what the Board is here for.

Kristin Lortie stated she agrees with Mr. Jeffrey, she does not feel the care; she would like to talk about the records policy; she has had a chance to take a walk through the records policy and the Board has heard from her several times over the past month; she was interested in the two binders from the prior Agenda Item, she wanted to read those; and she was billed \$34.85 per hour to pay for staff time and their benefits in order to review the two binders. She continued by saying she does not feel the care in that; she did not realize that the County Attorney's Office is the one who manages the records policy; if one puts in a records request it goes to the attorney; the least expensive person they can find to scan a binder, when she tried to get a digitized copy of the record, was \$34.85; and she has the record policy, they were very happy to send that to her. He noted she disputes the records policy; if the records policy is uncaring, change the records policy and make one that is sensitive to the people; she also made an overture to Chairman Steele to get together to talk about the issues and to get to know each other, it was declined; the officials do not always meet with the people; she has reached out to all of the Board about her records request; she finally received a response two days ago, just before the mostly digitized copy was released; and she held up a sign stating \$35 per hour to view a binder because she needed staff to oversee her. She added she does not know what she was going to do to that binder, but she has photos of it and her invoice too, as a souvenir. She thanked Commissioner Goodson for making a gesture around moving forward; she asked how do they move forward; she answered, not meeting with the people is not really a great idea, not meeting with someone like her who gets into the details and who realizes it is not all a bunch of, "we cannot do this because" it is as simple as the Board will not publicize its own program with Facebook and put out a simple inquiry; she has some very low hanging fruit that she puts up; she has a strategy, the Board will hear from her for the next Speak Up Brevard, and it will hear from her because she has now found the e-government tab and the Speak Up Brevard tab, and once people weave their way through the web page it is the 39th hyperlink down to the Speak Up Brevard Program on December 1; and everyone can look forward to that next year. She continued the Board will hear from her before that because she will utilize the tools that staff has recommended that the public use, even though she is being ghosted currently, she will still use those; she welcomes the invitation to a productive, constructive, conversation at any time; and she advised she is reasonable.

#### J.5. John Tobia, Commissioner District 3

Commissioner Tobia stated since he recognizes County employees he will skip over the beginning and jump to that County employee; County employee recognition would be for Richard Ataman; he is a Traffic Management Center Engineer, Public Works Traffic Operations Office; he has over 23 years of experience with Brevard County government in the Public Works Department; his career journey is a testament to his extraordinary dedication and hard work; and he has displayed an unyielding commitment to personal and professional growth. He noted Mr. Ataman started with the County in 2001 as a special projects coordinator; he understood the importance of computer technology and took significant strides to acquire the necessary skills in IT technology; through rigorous self-study and practical experience he not only mastered IT fundamentals, but he also applied the skills to innovate and improve the process within his domain; and this dedication led to his career progression with the department as an IT professional business analyst, during which he led the effort to develop the Department's first web-based real time management system, which is still used today. He continued by saying Mr. Atamans ambition did not stop there, he further expanded his expertise into Intelligence Transportation System (ITS) operations in 2017 where he leveraged his knowledge to address complex challenges in traffic signal systems and transportation management; his ability to adapt and innovate in the specialized field eventually led him to his current role as Traffic Management Center (TMC) Engineer; in this capacity Mr. Ataman has made substantial contributions to the efficiency and safety of the County's transportation network, showcasing his remarkable journey, a respected professional in ITS and TMC

operations; and his story is a powerful example of how his continuous learning, dedication, and adaptability can lead to significant career advancements and impacts. He commented a fun fact, prior to his time in Brevard County, Mr. Ataman started his career in Automotive World as a master technician between the years of 1985 and 2001; he transitioned into the digital realm where he developed his expertise in all aspects of the computer field, including audio video presentation, web design, and computer technology; his career reflects a deep passion for electronics, mechanics, technology, digital photography, and creative problem solving; the County is very lucky to have Mr. Ataman; the story here is if one gets in on the ground floor and works hard, he or she can progress through the County system; and the citizens are lucky that he is out there serving.

J.3. Rita Pritchett, Commissioner District 1, Vice-Chair

Commissioner Pritchett asked when Ms. Lortie wanted to see the book, is there a reason why someone has to be in there while she is reviewing it.

Morris Richardson, County Attorney, stated his office is the record custodian for records and this was a binder his office had put together painstakingly for the Commissioners, it was not meant for mass distribution, so there were not multiple copies; and beyond that, it is County policy that when there are records of that nature that staff is there to review it with the public. He noted there are other options; and it probably could have been scanned and sent to her for the same amount of time.

Commissioner Pritchett asked if it would be an availability if the thought is something might disappear out of it, to just place it under some kind of camera surveillance when they look through it, without charging a fee.

Attorney Richardson noted that can be discussed, his office was just applying the policy.

Commissioner Pritchett mentioned she totally understands; and asked when it was published so people could download it.

Attorney Richardson advised that item was never published it was a draft for circulation; and ultimately the final version was published and made available for everyone on Thursday.

Frank Abbate, County Manager, stated he thinks that is an important point; what was sent out to the Board were drafts, they were not final documents; staff gave it to the Board almost a month early so the Board could review it because part of the process was staff spending the time to give Commissioners the opportunity to do exactly what everyone said, to look through each one of them in case it wanted to have any input; it was finalized within the week of the Agenda Item being published; and then it was placed on as part of the Agenda.

Attorney Richardson stated staff never intended to distribute those drafts to avoid any public confusion if anything was changed between the draft and the final.

Commissioner Pritchett stated she got it, the Board could have been constantly changing it before staff had a work product to present. She mentioned she is on the Affordable Housing Board, it is a wonderful board; she found out something she did not know and she should have known it because she lives in Titusville; Titusville now allows a RES1 situation to build an accessory on to property; they still have to have setbacks; but they are now allowed to have bathrooms and kitchens; and she wanted to see if that is something the Board wanted to look at because it might help some of the situations going on with housing right now. She stated like on her property she might be able to build on an extra area for all of her grandchildren to move

into and never have to leave; it might be something to discuss; they are trying to find ways to do density; and people typically do not like density but this may be a soft touch to do it.

Commissioner Feltner stated he knows the Board does not do a lot of debate in Board Reports, but he thinks in pondering that, if there is a way that it could be written that there is guarantee of no short term rental there, that would probably be a lot easier; and that is just his two-cents.

Commissioner Pritchett asked the Board if it is open to the idea of maybe looking into that a little bit.

Commissioner Feltner commented it is worth discussing.

Commissioner Goodson stated he agrees.

Commissioner Pritchett stated she will start working on that for the rest of the Board to look at and review.

J.7. Jason Steele, Commissioner District 5, Chair

Chair Steele stated he will have a report at the next meeting; and he is meeting with Husein Cumber of Brightline the day after tomorrow to get some additional details on the potential station here at Coca Curve.

ADJOURN

Upon the motion, the meeting adjourned at 8:48 p.m.

ATTEST:

\_\_\_\_\_  
RACHEL M. SADOFF, CLERK

\_\_\_\_\_  
JASON STEELE, CHAIR

BOARD OF COUNTY COMMISSIONERS

BREVARD COUNTY, FLORIDA

**Result:** APPROVED

**Mover:** Rita Pritchett

**Secunder:** Rob Feltner

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele